

1937.

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COMMONWEALTH OF AUSTRALIA.

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# ABORIGINAL WELFARE.

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INITIAL CONFERENCE OF COMMONWEALTH AND  
STATE ABORIGINAL AUTHORITIES

HELD AT

CANBERRA, 21<sup>ST</sup> TO 23<sup>RD</sup> APRIL, 1937.

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## ABORIGINAL WELFARE.—INITIAL CONFERENCE OF COMMONWEALTH AND STATE ABORIGINAL AUTHORITIES, HELD AT CANBERRA, 21ST TO 23RD APRIL, 1937.

At the Premiers Conference held at Adelaide in 1936, it was decided that there should be a Conference of Chief Protectors and Boards controlling aborigines in the States and the Northern Territory.

2. In pursuance of that decision, the initial Conference was convened by the Commonwealth Government, and was held at Parliament House, Canberra.

3. The Minister for the Interior, the Honorable T. Paterson, M.P., who is vested with the control of aborigines in the Northern Territory, opened the Conference.

4. The representatives of the Commonwealth and States were as follow:—

### COMMONWEALTH.

Mr. J. A. CARRODUS, Secretary, Department of the Interior.

Dr. C. E. COOK, C.B.E., Chief Protector of Aborigines, Northern Territory.

### NEW SOUTH WALES.

Dr. E. S. MORRIS, Member of the Aborigines Protection Board, New South Wales.

Mr. B. S. HARKNESS, Member of the Aborigines Protection Board, New South Wales.

Mr. A. C. PETTIT, Secretary, Aborigines Protection Board, New South Wales.

### VICTORIA.

HONORABLE H. S. BAILEY, M.I.A., Chief Secretary, Victoria, Chairman of the Board for the Protection of Aborigines.

Mr. L. L. CHAPMAN, Under-Secretary, Victoria, Vice-Chairman of the Board for the Protection of Aborigines.

### QUEENSLAND.

Mr. J. W. BLAKLEY, Chief Protector of Aborigines, Queensland.

### SOUTH AUSTRALIA.

Mr. M. T. McLEAN, Chief Protector of Aborigines, South Australia.

Professor J. B. CLELAND, Chairman of Advisory Council of Aborigines, South Australia.

### WESTERN AUSTRALIA.

Mr. A. O. NEVILLE, Commissioner of Native Affairs, Western Australia.

5. Mr. H. A. BARRENGOR, of the Department of the Interior, Canberra, acted as Secretary to the Conference.

6. The following resolutions were passed:—

### DESTINY OF THE RACE.

That this Conference believes that the destiny of the natives of aboriginal origin, but not of the full blood, lies in their ultimate absorption by the people of the Commonwealth, and it therefore recommends that all efforts be directed to that end. (See p. 21.)

### UNIFORMITY OF LEGISLATION.

That the details of administration, in accordance with the general principles agreed upon, be left to the individual States, but there shall be uniformity of legislation as far as possible. (See p. 21.)

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### EDUCATION AND EMPLOYMENT.

That, subject to the previous resolution, efforts of all State authorities should be directed towards the education of children of mixed aboriginal blood at white standards, and their subsequent employment under the same conditions as whites with a view to their taking their place in the white community on an equal footing with the whites. (See p. 21.)

### SUPERVISION OF FULL-BLOOD NATIVES.

That this Conference affirms the principle that the general policy in respect of full-blood natives should be—

- (a) To educate to white standard, children of the detribalized living near centres of white population, and subsequently to place them in employment in lucrative occupations, which will not bring them into economic or social conflict with the white community;
- (b) To keep the semi-civilized under a benevolent supervision in regard to employment, social and medical service in their own tribal areas. Small local reserves selected for tribal suitability should be provided in these tribal areas where unemployable natives may live as nearly as possible a normal tribal life, and unobjectionable tribal ceremonies may continue and to which employees may repair when unemployed. The ultimate destiny of these people should be their elevation to class (a);
- (c) To preserve as far as possible the uncivilized native in his normal tribal state by the establishment of inviolable reserves; each State or Territory determining for itself whether mission activities should be conducted on these reserves and the conditions under which they may be permitted. (See p. 34.)

### RACIAL PROBLEMS.

Realizing that the pursuit of this policy and its ultimate realization, unless subject to enlightened guidance, may result in racial conflict, disastrous to the happiness and welfare of the coloured people, this Conference is of opinion that the Commonwealth should take such steps as seem desirable to obtain full information upon racial problems in America and South Africa for submission to a further conference of Chief Protectors to be held within two years. (See p. 35.)

### DEFINITION OF "NATIVE".

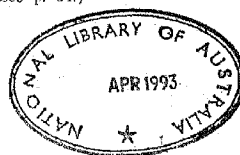
That the definition of "native" in any uniform legislation adopted by other States or the Commonwealth, be based on the definition contained in the *Native Administration Act, 1905-1936* of the State of Western Australia. (See p. 21.)

### FINANCIAL ASSISTANCE FROM THE COMMONWEALTH.

That the Commonwealth give financial assistance towards the States most requiring it to assist them in the care, protection and education of natives which, unless extended, will bring discredit upon the whole of Australia.

This resolution is put forward for the following reasons:—

- (1) That the principle adopted by this Conference of the ultimate absorption of the native race into the ordinary community can only be achieved by a considerably extended programme of development and education.
- (2) That the work of the States is already saving to the Commonwealth a very considerable sum by reason of the fact that there is being maintained at the cost of the States a large number of people who would otherwise be in receipt of the invalid or old-age pension or other assistance directly from the Commonwealth for which they are now ineligible.
- (3) That the people of all the States are already contributing the whole cost of the care of natives in the Northern Territory, and it is only equitable that the people of Australia should also assist in other parts of the Commonwealth.
- (4) That following the precedent in other British dominions, it is reasonable that the Commonwealth Government should bear a considerable part of the cost. (See p. 34.)



#### CORPORAL PUNISHMENT.

That this Conference is not seized of the necessity for corporal punishment. (See p. 35.)

#### POLICE OFFICERS AS PROTECTORS.

That further discussion of this subject be postponed until the next conference. (See p. 32.)

#### FEMALE PROTECTORS.

While the use of female protectors or inspectors for the supervision of female natives in populated areas may in places be desirable, the general appointment of women is not considered practicable, because of the very scattered nature of native camps, the difficulties of travel and the isolation. (See p. 33.)

#### CHAINING OF NATIVES.

That where, for the safety of the escort and the security of the prisoners, it is necessary to subject the prisoners to restraint, it is the opinion of the representatives from the States and Territory concerned that the use of the neck chain while travelling through bush country is preferable to the use of handcuffs, for humanitarian reasons and having regard to the comfort of the prisoners. (See p. 32.)

#### COURTS FOR NATIVE AFFAIRS.

That the jurisdiction of the Court for Native Affairs shall be confined to cases in which both parties are natives.

That mixed cases—those in which a native is involved against a white man or a man of other race—be dealt with by the ordinary courts of the State or Territory.

That natives be not allowed to plead guilty in any case, except with the approval of the Chief Protector.

That a native charged before a white man's court shall have adequate representation by counsel or a protector, or both.

That no confession before trial shall be sought or obtained, or, if obtained, it shall be disregarded by the Court. (See section 60 (1.) of the *Native Administration Act, 1905-1936* of Western Australia.)

That for the purpose of this resolution a native shall be a native as defined by this Conference. (See p. 31.)

#### COMPELLABILITY OF WITNESSES.

That in the opinion of this Conference any native woman who, at the time of the commission of the alleged offence, was living as the consort of the defendant and who may reasonably be expected to continue in that association during and subsequent to the legal proceedings, should have the protection of law accorded to a legal wife. (See p. 39.)

#### INTOXICATING LIQUOR.

That uniform legislation be adopted to provide that the supply of intoxicating liquors (including methylated spirits) to natives, as defined in the new definition, shall be an offence. (See p. 23.)

#### OPIUM DROSS.

That this Conference is of the opinion that, in order to prevent the smoking of opium dross by aborigines, the Commonwealth should give consideration to a scheme to place all opium addicts in Northern Australia, of whatever nationality, under strict medical supervision, in order to control the supply of the drug, with a view to effecting the cure of the individual, the reduction of the number of addicts in the future, and especially for the purpose of preventing any trade in opium dross. (See p. 25.)

#### PENSIONS AND MATERNITY ALLOWANCES.

That all natives of less than full blood be eligible to receive invalid and old-age pensions and maternity allowance on the recommendation of the State authority, to whom the grant should be made in trust for the individual. (See p. 27.)

#### RETURN OF NATIVES TO HOME STATE.

That provision be made to give discretionary power to return to his home State any aboriginal temporarily resident in another State. (See p. 22.)

#### GOVERNMENT SUBSIDY TO MISSIONS.

That no subsidy be granted to any mission unless the mission body agrees to comply with any instruction of the authority controlling aboriginal affairs in respect of—

- (a) the standard of education of natives on the mission;
- (b) the measures to be taken for the treatment of sickness and the control of communicable diseases;
- (c) the diet of natives fully maintained on the mission;
- (d) the measures to be taken to regulate the hygienic housing of natives; and
- (e) the maintenance of the mission in a sanitary condition,

and that the mission be subject to regular inspection by an officer of the authority. (See p. 29.)

#### CONTROL OF MISSION ACTIVITIES BY GOVERNMENT.

That governmental oversight of mission natives is desirable. To that end suitable regulations should be imposed covering such matters as inspection, housing, hygiene, feeding, medical attention and hospitalization, and education and training of inmates, with which missions should be compelled to conform. (See p. 30.)

#### COMPOSITION OF FUTURE CONFERENCES.

That future conferences should consist of representatives of Protectors and Governmental Boards. (See p. 20.)

7. The members of the Conference are of opinion that the bringing together of the representatives of the various States and of the Commonwealth affords an excellent opportunity for a free interchange of ideas and discussion of aboriginal problems, and that it is desirable that similar conferences should continue to be held annually, particularly between the Commonwealth and those States where the stage of development of the natives is reasonably akin, and where there are common difficulties of administration to be solved. It would be of advantage if the place of meeting could be changed each year, so that representatives might come into close contact with the actual problems as they arise in each part of the Commonwealth.

8. The Department of the Interior, Canberra, has offered to establish a Secretariat for future conferences, and to provide liaison between the various States and the Northern Territory.

9. A report of the proceedings of the Conference is appended.

	H. S. BAILEY.
	J. A. CARRODUS.
	O. E. COOK.
	E. SYDNEY MORRIS.
	B. C. HARKNESS.
Signatures:	A. C. PETTITT.
	L. L. CHARMAN.
	J. W. BLEAKLEY.
	M. T. McLEAN.
	J. B. CLELAND.
	A. O. NEVILLE.

## ABORIGINAL WELFARE.—INITIAL CONFERENCE OF COMMONWEALTH AND STATE ABORIGINAL AUTHORITIES, HELD AT CANBERRA, 21ST TO 23RD APRIL, 1937.

### PROCEEDINGS.

The conference met at Parliament House, Canberra, on the 21st April, 1937, at 11 a.m. The Minister for the Interior (Honorable T. Paterson) delivered the opening address.

### OPENING ADDRESS.

Mr. PATERSON.—I wish to welcome you to Canberra on behalf of the Commonwealth Government. Some of you have come a long distance to attend this Conference, notably, Mr. A. O. Neville from Perth and Dr. C. E. Cook from Darwin.

As you are aware, this Conference has been called pursuant to a decision arrived at by the Premiers Conference held at Adelaide in August of last year.

For a number of years persons and associations interested in the welfare of the aborigines have made representations to the Commonwealth Government in regard to matters affecting aborigines. Many of the representations related to aborigines under the control of the States, as well as those coming within the jurisdiction of the Commonwealth. Repeated requests were made that the Commonwealth should assume control of all the aborigines in Australia; that a kind of national council should be set up to control matters affecting aborigines; and that these questions should be submitted for consideration at a Premiers Conference.

The Commonwealth Government, therefore, consulted the last Premiers Conference on the subject and it was decided that it was impracticable to hand over the control of all the aboriginal people in Australia to the Commonwealth, but that it would be advisable to have periodical conferences of Chief Protectors and Boards controlling aborigines in the States and the Northern Territory. You are assembled here to-day following upon that decision.

This Conference is an epoch-making event. It is the first conference of all the governmental authorities in Australia controlling natives. The public has taken the greatest interest in this meeting, and some decisions of a concrete nature are expected to result from your deliberations.

The welfare of the aboriginal people is a matter in which all the Governments of Australia are vitally interested, and into which politics do not enter. Although the political opinions of governments may differ materially on general questions of policy, there is only one consideration where aborigines are concerned and that is: What is best for their welfare? The problem calls for the earnest consideration of all Ministers and officers vested with the duty of controlling natives and ministering to their wants.

As Minister controlling the Northern Territory, I appreciate to the full the important task that is entrusted to you and the many difficulties that have to be surmounted. I also realize that the problems which confront one State may be totally different from those of another. Nevertheless, nothing but good can result from your meeting one another in friendly discussion

and assisting one another with the experience gained in the performance of your duties in your respective States and Territories.

As you have a long agenda I shall now leave you to your deliberations. I feel sure that something constructive in the interests of the aborigines of Australia will be forthcoming from this meeting.

### CHAIRMANSHIP.

Mr. CARRODUS.—Our first duty is to elect a chairman of the Conference. We have one Minister of the Crown present, the Honorable H. S. Bailey, Chief Secretary of Victoria. I think it would be fitting for Mr. Bailey to take the chair.

#### Resolved—

That the Honorable H. S. Bailey, M.L.A., Victoria, be Chairman of the Conference.

Mr. BAILEY.—I am prepared to take the chair for some little time, at any rate. I am attending the Conference as chairman of the Aborigines' Protection Board of Victoria, of which the Chief Secretary of the State is *ex officio* chairman. Actually, however, the problems relating to aborigines are not acute in Victoria. We have, comparatively speaking, only a handful of full-blooded blacks in our State. We have a larger number of half-castes, about 500 altogether. The Government of Victoria has always made substantial provision for the aborigines within the State. I came here principally as an onlooker, wishing to ascertain the views of the representatives of other States which are called upon to deal with aborigines. I appreciate the courtesy of the Conference in electing me chairman, and shall be glad to preside for some little time. Then, I think, it would be fitting for the Conference to appoint another chairman. Questions relating to the aborigines affect States like Queensland, South Australia, and Western Australia, more than Victoria, and probably New South Wales.

### PRESS REPORTS.

Mr. BAILEY.—The Conference should now decide whether the press is to be admitted to the Conference.

Mr. CARRODUS.—I understand that the press is not particularly anxious to be present, but desires that reports be made available by the chairman or secretary at the luncheon and afternoon adjournments.

#### Resolved—

That the press be not admitted to the Conference, but that reports be prepared by the secretary and issued to the press.

### VOTING POWER.

Mr. CARRODUS.—The Conference should now determine in what manner votes shall be recorded. We have three delegates from one State, two from some others, and only one from others. I suggest that each State or Territory should record one vote.

#### Resolved—

That each State or Territory be entitled to one vote.

# MATTERS PUT FORWARD BY QUEENSLAND.

Mr. BLEAKLEY.—I wish to submit the following matters on behalf of Queensland:—

(a) Uniform policy be adopted, broad enough to cover the different conditions in the various States, briefly on the following lines:—

- (i) Protection of the nomadic tribes, their gradual development to self-dependence and restoration of racial pride and confidence;
- (ii) Control, relief and protection of the detribalized;
- (iii) Moral protection of females, check on miscegenation;
- (iv) Upliftment of superior crossbreed;
- (v) Health control, nutrition, medical care;
- (vi) Sympathetic government—defence of primitive offenders.

(b) Uniform legislation for suppression of abuses, protection from exploitation, check of traffic in drink, drugs, and prostitution.

(c) Co-operation between the State administrations be aimed at in the matter of controlling migrations, return of absconders, wife deserters and stranded natives.

(d) A definite sum be made available by the Commonwealth Government for capital expenditure on development of aboriginal institutions towards self-support.

I have prepared a memorandum on the matters mentioned, which reads as follows:—

In presenting the motion from Queensland for discussion, I feel that it will be generally agreed that the care of the aboriginal races should be considered from a nation-wide, rather than from the individual State point of view.

In recent years keen interest has been shown in countries overseas in the treatment of the aborigines of Australia, and it is unfortunate that the Commonwealth Government has had to suffer considerable annoyance and inconvenience because of garbled and often mischievous stories which have been circulated through the press, such stories often originating in the ignorance in the different States of the aim and operations of the others.

There is quite evidently a need for more co-operation and unity, as such attacks are directed at Australia as a nation, rather than at the particular States that might or might not be at fault. Local incidents have often been magnified into excuses for wholesale condemnation.

The Premiers Conference has already decided that centralized control is not practicable or desirable, a view entirely agreed to by the Government of Queensland. Conditions differ so in the northern as compared with the southern States; distances, say, from Canberra, are too great for many matters requiring prompt measures.

Each State can administer its own aboriginal problems more economically through its own machinery, while the establishment by a centralized government of the special machinery for such administration would prove far too costly. Moreover, each State is vitally interested in the conditions of its own aborigines because of the bearing those conditions must have upon the health, morals, and good order of the community.

In considering any united policy it will help to classify the types of aborigines to be dealt with as under:—

- (a) The primitive nomads still free to live their own life and maintain themselves on game and bush foods, and whose country is still inviolate, or has been reserved for native use;
- (b) Those still living a precarious existence on their own country, but whose lands have been selected for pastoral occupation, their maintenance by hunting restricted and often their able-bodied hunters absorbed into the pastoral industry;

(c) The detribalized, whose country has been usurped by settlement, their tribal life and natural means of subsistence destroyed, and who live a more or less mendicant life, dependent upon relief or casual employment, and are exposed to social abuses. They have lost the arts of hunting, and become accustomed to civilized foods, clothes, and amusements, their vagrant condition making them a menace to the health and morals of the community;

(d) The crossbreed. This type alone presents several different classes, each requiring special treatment—

1. Those with a preponderance of aboriginal blood and entirely aboriginal in character and leanings.
2. The cross with lower types of alien races such as Pacific Islanders, Malays, Africans.
3. The European-aboriginal cross or those with higher Asiatic types.
4. The quadroon and octoroon with preponderance of European blood.

Drawing upon our own experience in Queensland, it has been found necessary in protection of the (a) class, to reserve for their use sufficiently large tracts of their own country to ensure the undisturbed enjoyment of their own native life and means of subsistence and protection from abuses. This alone is not sufficient. The natives have to be protected, not only from the trespasser, but also from the temptation calling at the gate, once they have tasted alien vices.

In affording this protection certain things are essential. The first is power to enforce the inviolability of the reservations and the second is benevolent supervision with authority to exercise such power, while maintaining friendly contact and affording medical and other relief. Not the least important, in fact it might be called the main aim of such supervision, should be the gradual adaptation of these nomadic people to the inevitable change to the settled life, and the raising from the soil of the subsistence previously obtained from game and bush foods which supply is steadily being diminished through the encroachment of white settlement.

In Queensland over 6,000,000 acres or 8,500 square miles of country is reserved for aborigines with strict laws to prevent trespass. This country is chiefly on Cape York Peninsula, practically the only part of the State where the primitive nomads can be said to be living their own life in their own country, and the supervision is provided by a chain of mission stations on the coast from Mornington Island to Cape York and down to Cooktown. These mission stations are all in the charge of religious bodies, as it is found that such bodies with their volunteer officers who take up the work from missionary motives, thus ensuring continuity of policy, can carry it out most economically and successfully. The superintendents are also appointed protectors of aborigines and protectors of fisheries, giving them necessary powers to protect their wards from imposition.

While the main object of the mission bodies is the spiritual care and instruction of the people, they willingly collaborate with the administration in carrying out the policy of gradual adaptation of the nomads to the settled life. Recognizing that any drastic change or forcible weaning of the old people from their tribal habits would be a hardship

and would only court failure, efforts are concentrated on the training of the children, at first the foundlings and weaklings sent voluntarily to the mission to be cared for. The mission life with its regular food, shelter, comfort and companionship soon attracts others. As these young people grow up, and are educated—the boys trained in farming, gardening, fishing and skilled trades, and the girls in domestic accomplishments suitable to their simple station—they are encouraged to mate and settle in villages, cultivate garden plots, raise pigs, poultry and bees, help in the farming, cattle-raising and fishing, and become self-supporting. Many of the young men engage as crews in the shelling industry or work vessels of their own on the communal system.

These trained young people are the best missionaries to the old nomads. Their example induces the old people to attach themselves partially to the mission, coming in from spells of "walk-about" to earn tobacco, tomahawks or knives by casual labour or bartering bush foods for trade goods or flour. They usually display interest in the young gardeners when the food crops are ripe, and would frequently eat the produce if allowed to do so.

On some of the larger reserves, out-station villages have been started on suitable river sites in the country of some of the primitive tribes hitherto untouched, by some of the trained aboriginal couples, with considerable success. The lines followed have been those of the mother mission—education of the children, and object lessons in simple husbandry. The white missionaries visit periodically for medical treatment and religious instruction.

If further evidence is needed that the primitive aboriginal is beginning to understand and appreciate the benefits of the settled village life and productive work, especially when he can see that the fruits are for his own use, the native settlement at Cowal Creek on the extreme point of Cape York can be cited. This settlement was formed twenty years ago by the remnants of the old Seven Rivers and Red Island tribes entirely of their own volition, and has been developed by their own efforts to a neat, well-laid out village of bark cottages, where the 200 inhabitants maintain themselves by gardening, hunting, fishing and gathering bush foods. The only help received from the department has been gifts of tools, fencing material, a fishing-boat on time payment, and occasionally some rations when the crops have been destroyed by wild cattle and pigs. An island native, who teaches the children and acts as missionary, is paid a small salary, but the natives govern themselves with their own councillors and police, the local protector, twenty miles away by sea, visiting once or twice a year for inspection and advice.

These village police have frequently given valuable assistance in the capture of desperate native characters on the peninsula wanted for murder, wife abduction and cattle killing.

All the foregoing reserves are vested in trustees representing the department, and the controlling church bodies, thus giving some assurance of stability of tenure and conservation of native interests.

With regard to the interest displayed overseas in the question of the preservation of the aborigines in Australia, it has been of considerable interest at this juncture to receive from a private source a copy of a circular letter written by the Anti-Slavery and Aborigines Protection Society of London to various philanthropic bodies

seeking their views on a scheme they proposed to place before the Australian governments for the development of aboriginal reserves in productive industries, in trust, for the benefit of the natives.

While the society quotes the success of such trusts in other countries, the scheme is so much on all fours with the mission reserve system in Queensland as to justify the belief that the ideas in the main have come from that State's publications, especially as they quote from its annual report that £300,000 of native funds is held in trust, and suggest that this money should be borrowed and used for the furtherance of the scheme. As a matter of fact, this money amounting actually to £200,000 is the aggregate of the balances of over 6,000 individual savings bank accounts which must always be available to the owners for their benefit when required.

Although they are a different type of people from, and superior to the mainland aboriginal, being Polynesian in strain, and naturally village-dwellers and horticulturists as well as fishermen, the Torres Strait tribes, whose islands have been closely reserved, afford an example of the degree to which natives can be developed to self-dependence.

These people, numbering 3,500, entirely maintain themselves with their fleet of 26 vessels working in the shelling industry, and by gardening, pig and fowl raising and fishing. They have their own trading station, financed from their own funds with several branch retail stores. The main part of the proceeds of the fleet's catch, and wages earned by the surplus men on other fleets, amounting to about £26,000, passes through their own stores, the profits being devoted to their own benefit.

These islanders also govern their domestic affairs with their own councillors and police, elected by themselves, the only cost to the department being for administrative machinery, including school teachers and patrol vessel. As the result of the policy of segregation, these people although progressing in civilization, have achieved this development on improved native lines and not as poor imitation whites, for they still retain their native customs, arts, crafts and music.

The people of (b) class probably present the most difficult problem. The usurpation of their hunting grounds has resulted in destruction of their native culture and contamination from contact with the alien race. Their helpless position exposes them to temptations and vices to which they easily fall a prey, mainly because of the food poverty caused by destruction of their natural means of subsistence.

The employment of their able-bodied young people, even where such services are paid for aggravates, rather than relieves, the hardship, as few employers will accept the burden of maintaining the whole of the aged and young camp relatives of their employees.

Even where relief can be given, issues of flour, rice, tea, sugar and beef offal are inadequate substitutes for the native game and fruits of which they have been deprived.

In most places education of the children is impossible, as such benefits are unprocurable in the locality itself for the children of the employer, except at heavy expense.

The obvious and eventual solution would be to transfer all such people to institutions where the desired care, control and education could be given, but wholesale herding of tribes to strange country cannot be done without hardship. Another factor in the problem, though it should not be

urged at the expense of the native, is that, what is perhaps the most important asset of this vast Commonwealth, the pastoral industry, would be in a sorry plight if deprived of its native labour in outback places where white labour is not only difficult to obtain, but often inferior in quality. In fact it is known that many pastoralists claim that their stations could not have been developed without aboriginal labour.

Until these dispossessed people can be provided for and gradually absorbed into suitable reservations, it is essential that effective legal and supervisory machinery be provided to protect them from abuse and imposition and to ensure relief from privation and disease. The young should also receive education of a vocational character to equip them to protect themselves in business dealings and enhance their value in employment.

The (c) class referred to as detribalized will be found mostly on the outskirts of country towns and mining camps. Many have never known any different environment, in fact, have little knowledge of native culture. What they know of hunting has depended upon civilized firearms; they cannot live without European food and clothing, or amuse themselves outside of the hotel, the billiard room, pictures or racecourse.

Although usually asserting their ability to look after their own earnings, they are invariably in need of protection from their own ignorance and improvidence.

The moral tone of these camps is often lower than that of the more primitive classes, as this type of people is usually too sophisticated to be controlled by the native laws and the moral code of the superior race. Consequently, the majority of the inmates are of mixed breed, many of the children are illegitimate, being lucky if their parents are of the same nationality and are living together. The unattached females, however, are much in demand for domestic servants, and the males as station hands, drovers and for fencing, scrub-felling, horse-breaking, and contract work. This makes the removal of the unemployed dependants who are left behind in the camps a difficult matter.

Usually State school education is available for these children, whose attendance is compulsory, but objections at times are raised by the parents of white children because of the alleged unhealthy tone of the camp home life. To meet this objection, where numbers justify establishing a separate school, this has frequently been done.

It will be obvious that in the case of this type of native the need is for effective protection and supervision of these camp dependants, ensuring—

1. Sanitary living conditions.
2. Protection from abuse.
3. Moral control.
4. Support of their dependants by the able-bodied.
5. Proper upbringing of the children.

This has been met in Queensland either by establishing a village on reserved land a reasonable distance from the town, where the families have been helped to erect decent huts, enclose grounds, make gardens, provide water supply and sanitary conveniences, also school facilities if needed; or by transferring the families to a suitable settlement where the above conditions can be assured under efficient supervision.

The first measure is adopted where conditions are favorable as inflicting less hardship.

It is perhaps in regard to this class more than any others that drastic measures are needed for moral control and protection of females and sup-

pression of miscegenation. The whole environment creates a taste for the delights of civilized life that are an irresistible snare to them, making them an easy prey to the unscrupulous white or alien.

In Queensland, for a quarter of a century, the marriage of whites and blacks has been rigidly restricted, and every encouragement has been given to marriage of crossbreed aboriginals amongst their own race. The result is that 95 per cent. of the crossbreed children born are the issue of purely native unions, and 80 per cent. of these are born in wedlock.

There is wide difference of opinion as to what is due to the so-called half-caste, but, as already pointed out, not every half-breed is the child of a white father. Many may be of half aboriginal blood, but wholly aboriginal in nature and leanings.

This type, and those crosses of lower alien races, will be more happily absorbed by their mother's people in circumstances where they can be given vocational and domestic training to take their part in the development of a self-contained native community.

The superior type of half-breed, with the necessary intelligence and ambition for the higher civilized life, is entitled to the opportunity and help to make his place in the white community. But we must not be disappointed if what appears to be ambition turns out only to be a desire for freedom from supervision.

The system in Queensland provides for granting exemption to half-castes shown to be intelligent and well-conducted, and not living or associating with aboriginals. But perhaps 50 per cent. of such cases have nothing to show after years of freedom, live from hand to mouth, often on the dole, and frequently drift back to camp life, where they have to look for wives.

The case of these superior crossbreeds has exercised our department for some time, and, as the result of exhaustive inquiries in other countries and States, it has been decided that it is futile to expect these crossbreeds, no matter how light in colour, to successfully make a place for themselves in the civilized community without being equipped with the vocational knowledge and the respectable home background to overcome the handicap of the racial prejudice and inferiority complex. Without such equipment they cannot combat the drift to the ranks of the unemployed and to life in the slums.

Briefly, the scheme approved by my department, and of which a trial is soon to be given by the establishment of a half-caste industrial colony, is—

1. Industrial and social development of present settlements for full-blood and inferior type of half-castes.
2. Establishment of half-caste colonies for superior types of half-castes and quadroons now labouring under handicaps as in (1), ensuring—
  - Education for the children.
  - Benevolent supervision of community life.
  - Opportunities for protected home life and home industries.
  - Medical and health supervision.
  - Secondary vocational training for youths.
3. System of apprenticeship of rural school trainees to civilized trades or professions in safe home influence with co-operation of the State Children's and Apprenticeship Committee.

4. Special consideration to the uplifting of the living conditions of station-bred aboriginals, half-castes and quadroons and provision of educational facilities.

I think it is generally recognized that the care of the aboriginal, no matter what the breed, is, to a large degree, a health problem. The prevention of disease amongst these people is of vital importance to the welfare of the white community as well as a duty that may be owed to the natives themselves who are often victims of our own social vices.

As the native's own natural food resources are becoming exhausted so he is forced to substitute the artificial foods of civilized life of whose nutritive value, in his ignorance, he has no knowledge. Thus we find him often subsisting on polished rice, refined white flour, tea and sugar, instead of the game, roots and fruits of the bush which in his wild days provided him with a balanced diet.

The question of proper nutrition is an important, and at times a difficult one, for it is one thing to order a balanced ration for your native, but quite another thing to make him eat it. Another result of the change to civilized food is the increasing need for dental attention. Probably half of the civilized natives, especially half-breeds, have at an early age to be provided with artificial teeth or fillings.

In imposing the laws of the white man's government upon the native, too little consideration has in the past been given to the degree which the influence of his native code may have had upon his actions. The need for a special court for natives, on the lines of the Children's Court, in which the Bench can be assisted by officers or persons experienced in native customs and laws, has more than once been emphasized. Already in some States, legislation provides for defence of primitive offenders and the safe-guarding of such prisoners from ignorant pleas of guilty.

In the event of a uniform policy being adopted it will greatly facilitate administration throughout the various States if uniform legislation can also be framed for the suppression of abuses, protection from exploitation, and check of the traffic in drink and drugs.

If, similarly, the various State administrations can co-operate for mutual assistance in such matters as controlling the migrations of indigent natives, the return of absconders from settlements, the tracing of wife deserters and stranded natives, it will materially assist in the effective care of these people. I am able to acknowledge with gratitude much useful help in the past from the aborigines departments of neighbouring States in the above direction.

Like other social questions, the effectiveness of the measures for the betterment of the races is largely dependent upon finance. Unfortunately, the aboriginal has no vote, and in the past the work has been often discouragingly retarded because of the State government's inability to spare the necessary funds. Queensland has probably been more generously treated by its government in the matter of financial provision than some other States, but the dependence of the department upon the political and financial position has often been an obstacle to progress in the work of ameliorating the conditions of the distressed.

As already stated, the inevitable depletion of the natural food resources makes it essential that the now nomadic natives should be steadily taught to develop for themselves a settled community life

in conditions and with such practical assistance as will enable them to attain a measure of self-dependence.

Experience has shown that this help should not be confined to supplying their physical needs, but rather should be in directions to enable them to become self-supporting. Help in cash is of course essential, especially in the early development stages, to pay for cost of management, but practical help is also needed in the way of material, plant, machinery and stock to enable the productive industries to be developed as fully as possible towards self-support and the uplifting of the people on improved native lines by their own efforts.

The suggestion is, therefore, offered to this Conference that the Commonwealth Government, which is the parent government of this continent, and the one looked to by the people overseas as responsible for the proper treatment of the aboriginal races, might consider the question of assisting the development of the existing and future aboriginal communities by making available an adequate annual grant to be devoted to purely capital expenditure in approved directions towards development towards self-support.

SUMMARY OF PAST ABORIGINAL POLICY.

In reviewing the conditions 30 years ago and the progress made since that time, it is shown that the results could not have been achieved without an objective.

Summarized, the policy in the past has been--

- (a) To keep the few primitive natives who are still living the nomadic life under benevolent supervision by affording medical and other relief, to win their confidence and through the children gradually induce them to adapt themselves to the inevitable change to the settled industrious life.
- (b) Recognizing that with the encroachment of civilization on their hunting grounds it is only a question of time when the nomadic life will be impossible, the aim has been to establish them in time, without undue wrench from their old environment, in self-contained villages under a simple form of self-government helped by benevolent instruction in husbandry.
- (c) To secure for the semi-civilized natives of Torres Strait the opportunity to develop to a higher social life and self-dependence on improved native lines, avoiding Europeanization as far as possible, and to protect them from contamination and exploitation.
- (d) To afford the detribalized, that is, the wandering natives whose country has already been usurped, effective protection from abuses and exploitation in their contact with civilization.
- (e) To provide accessible machinery for medical treatment and relief, to take measures for the discovery, prevention, isolation and treatment of disease, and for the promotion of better health conditions in the interests of the European as well as aboriginal community.
- (f) To assist troublesome, degraded and destitute aborigines and half-castes to rehabilitate themselves in Government controlled institutions of a semi-penitentiary nature, and develop to social and industrial self-dependence.
- (g) To assist the crossbreeds of superior breed and inclinations to overcome their social handicaps and fit themselves by education

and technical training to take their place properly equipped in the white community.

- (h) Generally, to assist all classes of the aboriginal races to win to a position of self-respect and self-dependence.

Mr. BAILEY.—I suggest that further consideration of the matter introduced by Mr. Bleakley be postponed until after the luncheon adjournment.

#### PROPOSED SOCIO-ECONOMIC INVESTIGATION OF THE HALF-CASTE PROBLEM.

PROFESSOR CLELAND.—It is clear to me, after hearing Mr. Bleakley's statement, that conditions differ considerably in the various States, and that what may be applicable to high-rainfall areas in Cape York Peninsula, may not be applicable to the dry western portions of South Australia. I have prepared a memorandum embodying certain suggestions for an investigation into conditions as they exist in South Australia, and it is possible that some of the conclusions finally reached may conflict with those reached by Mr. Bleakley. The memorandum is as follows:—

The number of half-castes in certain parts of Australia is increasing, not as a result of additional influx of white blood, but following on inter-marrriage amongst themselves, where they are living under protected conditions, such as at the Government aboriginal stations at Point Pearce and Point McLeay, in South Australia. This may be the beginning of a possible problem of the future. A very unfortunate situation would arise if a large half-caste population breeding within themselves eventually arose in any of the Australian States. It seems to me that there can be only one satisfactory solution to the half-caste problem, and that is the ultimate absorption of these persons in the white population. I think that this will not necessarily lead in any way to a deterioration of type, inasmuch as racial inter-mixtures seem, in most cases, to lead to increased virility.

The problem, however, should be faced at its beginning, and it is suggested that the whole question of the half-caste should be thoroughly investigated by some person specially trained in the study of social and of economic problems. Such a survey would include ascertaining the conditions under which these people live in the neighbourhood of country towns, on stations, and on government reserves. The best kind of occupation for these people, for instance, on cattle and sheep stations, or on farms, and the various possibilities for technical education should also be inquired into.

The investigation should also consider the best method for the gradual absorption of the half-caste into the community, going thoroughly into the question as to whether half-castes in general can assume responsibility and be reliable, or whether, on an average, they must be considered as belonging to the submerged, more or less, unemployable type of white. It is also advisable that some scheme should be got out by which the two sexes can have opportunities of meeting and so marrying under suitable conditions.

Such, in brief outline, is the suggested scope of such a socio-economic investigation. Such a work could be begun with great advantage in South Australia, and I have the permission of the Vice-Chancellor to say that the Council of the University of Adelaide would view favorably

any suggestions submitted to it that such a survey should be carried out under the direction of its Department of Economics in conjunction with the Board for Anthropological Research of the University.

Though I have not express authority to say so, I have reason to think that the State would grant special facilities for the investigation. As the problem is one of value, not only to South Australia, but to most of the other States as well, and to the Commonwealth, I would suggest that the special expenses incurred—I think £1,000 a year for two years would probably be necessary—might be reasonably borne by the Commonwealth Government.

As far as the southern States are concerned, investigations could, I believe, be best carried out in South Australia, and the University in that State is prepared to undertake the direction of the work. It would be necessary, of course, to appoint a special investigator, who would have to be paid. The State would make available all the facilities it could, but I think that the actual expenses should be borne by the Commonwealth, as the results of the investigation would be for the benefit of the Commonwealth as a whole. If necessary, the work could ultimately be extended to the Northern Territory, Western Australia and Queensland. It is very important to ascertain whether the half-caste is able to take his place in the community under present conditions, or whether, on the average, he will always prove to be only a grown-up child who will have to be protected and nursed.

#### WESTERN AUSTRALIAN LEGISLATION.

Mr. NEVILLE.—The opinion held by Western Australian authorities is that the problem of the native race, including half-castes, should be dealt with on a long-range plan. We should ask ourselves what will be the position, say, 50 years hence; it is not so much the position to-day that has to be considered. Western Australia has gone further in the development of such a long-range policy than has any other State, by accepting the view that ultimately the natives must be absorbed into the white population of Australia. That is the principal objective of legislation which was passed by the Parliament of Western Australia in its last session. I followed closely the long debates which accompanied the passage of that measure, and although some divergence was, at times, displayed, most members expressed the view that sooner or later the native and the white populations of Australia must become merged. The Western Australian law to which I have referred is based on the presumption that the aborigines of Australia sprang from the same stock as we did ourselves; that is to say, they are not negroid, but give evidence of Caucasian origin. I think that the Adelaide Anthropological Board has voiced the opinion that there is no such thing as atavism in the aboriginal, and Dr. Cilento has expressed the view to which I have referred. We have accepted that view in Western Australia.

In Western Australia the problem of the aborigines has three phases. In the far-north there are between 7,000 and 8,000 pure-blooded aborigines; in the middle-north the number of half-castes is increasing, and the full-blooded aborigines are becoming detribalized, and in the south-west there are about 5,000 coloured people. We have dropped the use of the term "half-caste". As a matter of fact, in the legislation passed last session the term "aborigines" has been discarded altogether; we refer to them as natives whether they be full-blooded or half-caste. Quadroons over the age of 21 years are, however, excluded. From childhood quadroons are to be

treated as whites. In my State there are several institutions for the treatment of the natives, including eleven missions and a number of departmental establishments. At the mission stations, the natives are encouraged to multiply by marriage, with a consequent increase of population. The missions are thus able to claim that they are doing valuable work for the natives. Undoubtedly they are doing good work, but they keep an increasing number of natives on their properties, whereas the departmental institutions, whilst approving marriages, encourage the natives to mix with the general community, and earn their own living which, I am glad to say, they are doing. As a matter of fact, for some years now I have not been able to supply sufficient youngsters of both sexes to meet the demand for their labour.

As I have pointed out, the policy of the missions is in direct contrast to that of the department, because they do not encourage the young people born on the mission properties to leave them. The ultimate result of this policy in Western Australia will be an increase of the number of coloured people, that is, half-castes, and a diminution of the number of full-blooded aborigines. It seems to me that the task which confronts us is educating and training these people to enable them to be assimilated into the white community. Accordingly we have taken steps to improve the health and physical fitness of the coloured population. At present only about 10 per cent. of these people show any sign of ill-health, and the majority of the complaints from which they may suffer are trifling. This has been ascertained over two or three years of intensive medical inspection.

If the coloured people of this country are to be absorbed into the general community they must be thoroughly fit and educated at least to the extent of the three R's. If they can read, write and count, and know what wages they should get, and how to enter into an agreement with an employer, that is all that should be necessary. Once that is accomplished there is no reason in the world why these coloured people should not be absorbed into the community. To achieve this end, however, we must have charge of the children at the age of six years; it is useless to wait until they are twelve or thirteen years of age. In Western Australia we have power under the act to take any child from its mother at any stage of its life, no matter whether the mother be legally married or not. It is, however, our intention to establish sufficient settlements to undertake the training and education of these children so that they may become absorbed into the general community.

Another important point is marriage. I realize that the problem in Queensland, as outlined by Mr. Bleakley, is different; but the natives in Western Australia are mostly of "purer" stock. There is some Asiatic blood in the north, and a certain amount of negroid strain also is to be seen due to the fact that some of the early settlers brought with them to Western Australia negro servants who left their mark on the native population. The negro strain remains. The Asiatic cross, however, is not a bad one. We find that half-caste Asiatics do very well indeed; in fact, very often they beat the white cross. In order that the existing state of affairs in Western Australia shall continue, and in order to prevent the return of those half-castes who are nearly white to the black, the State Parliament has enacted legislation including the giving of control over the marriages of half-castes. Under this law no half-caste need be allowed to marry a full-blooded aboriginal if it is possible to avoid it, but the missions do not always take steps to prevent this from occurring; they allow the half-castes under their control to marry anybody.

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Dr. MORRIS.—You cannot stop them from having babies even if they don't marry.

Mr. NEVILLE.—We realize that. As a matter of fact that very often does occur as the result of half-castes mingling with whites; but that does not matter very much. What does matter is that, when a child is born and the father cannot be found, the child becomes a charge upon the State.

Another matter upon which we differ from Queensland is in the fundamental character of the natives. Mr. Bleakley has mentioned settlements and cultivation; our experience is that one can never make a farmer out of a native—seldom even out of a half-caste. In Western Australia blocks of land have been granted to the natives and all that they have done is to build humpies and then sit down. Without constant supervision it is impossible to make them cultivate land. Then we have the important difference between the female and the male. In furtherance of the scheme which we have in view, we have definitely excluded from certain provisions of the act a male adult person of half-blood who is living more or less like a white man. We give him the benefit of the doubt, and tell him that so long as he does certain things and conforms to the act we shall not worry about him. In other words, we give him a chance to enter into the communal life of the State. Many have taken advantage of this provision and have done so. However, it is a gradual process to merge the two races. As I have explained, in Western Australia we have full-blooded aborigines, half-castes from detribalized blacks, and half-castes producing their own children. In the lower half of the State we are approaching the stage where half-castes will be able to be assimilated. It will be, perhaps, 25 years before the same stage is reached in the middle north, and 50 years in the far north. In any case there is no reason why we should not adopt a long-sighted policy.

An important aspect of this policy is the cost. The different States are creating institutions for the welfare of the native race, and, as the result of this policy, the native population is increasing. What is to be the limit? Are we going to have a population of 1,000,000 blacks in the Commonwealth, or are we going to merge them into our white community and eventually forget that there ever were any aborigines in Australia? There are not many now, whereas not so many generations ago there were a great many. When Western Australia was first settled in 1829 it is alleged that there was a population within the State of 55,000 natives. In the south-west portion of the State alone there were 13,000 natives. In 1901 the native population in the south-west was reduced to 1,419, of whom 45 per cent. were half-castes. To-day there are nearly 6,000 natives in the same area, so I venture the opinion that in 25 years' time the native population in that district alone will have increased to 15,000. How can we keep them apart from the community? Our own population is not increasing at such a rapid rate as to lead us to expect that there will be a great many more white people in that area 25 years hence than there are at present. The aborigines have inter-married with our people. I know of some 80 white men who are married to native women, with whom they are living happy, contented lives, so I see no objection to the ultimate absorption into our own race of the whole of the existing Australian native race. In order to do this we must guard the health of the natives in every possible way so that they may be, physically, as fit as is possible. The children must be trained as we would train our own children. The stigma at present attaching to half-castes must be banished. In Western Australia half-caste boys and men take part in football, cricket and other games on a footing equal to that of their white clubmates, but are excluded from the

social life of the community. They feel this deeply, as do their white companions in sport. This state of affairs will have to disappear.

To do all these things into which we in Western Australia have put our hearts, will require much greater expenditure than is at present allowed for native welfare purposes. The present level of expenditure for this purpose in Western Australia is ridiculous. My calculation is that, excluding the 10,000 full-blooded natives in Western Australia who are considered to be outside the influence of civilization, the cost incurred to ensure the well-being of each native is 30s. 2d. a head. In other States the expenditure a head on this account is as follows: Queensland, £2 10s. 7d.; New South Wales, £5 5s.; South Australia, £5 10s. 10d.; and Victoria, £13 4s. 4d. The *per capita* cost of educating a white child in Western Australia to-day is about £10 10s. a year, yet in that State 30s. a year is supposed to cover everything, including food, clothing and education of our native population. It is a ridiculous sum, but my State is not in a position to expend a large amount of money on these people, and I think the suggestion made by Mr. Bleakley, that the Commonwealth should render assistance in this direction, is excellent. In my State there are certain institutions, such as cattle stations, on which the natives are housed. These are almost self-supporting, so we do not need capital for them; but money is needed in other directions. In conclusion, I emphasize that Western Australia has no native problem. Its problem is a financial one. If we had the money we could embark upon the policy I have outlined.

#### CONDITIONS IN VICTORIA.

Mr. BAILEY.—A citation of the conditions obtaining in Victoria may be of interest in view of the statement by Mr. Neville of the desire of Western Australia to absorb the half-caste population into the white population. Victoria's coloured population is small, and it is concentrated at Lake Tyers, whereas, formerly, there were three aboriginal centres in the State. The intention behind the establishment of the Lake Tyers camp was the training of half-castes to enable their absorption into the general community. This is where the difference between densely populated and sparsely populated States becomes evident. At Lake Tyers we have a school at which three Education Department teachers are employed. There is a sewing class for the training of the girls who are very apt pupils. We also train the boys and men in farm work. I agree that it is difficult to get them to do any such work; they have to be kept under constant supervision. They are employed on clearing land, road construction, dairying and similar pursuits. Our principal difficulty is that as soon as a girl becomes competent to take a position as a domestic servant and enters domestic service, it is no time before she comes back to the Lake Tyers Station either pregnant or, worse still, with two or three little children. It is difficult in a State with a large white population to prevent such things from happening. Shortly after I became Chief Secretary I investigated the case of a girl who had been with the Salvation Army for eight years and the cases of two other girls who were in the Oakleigh Convent. The lady in charge of the Salvation Army Home told me that the girl was thoroughly domesticated and a magnificent cook, capable of taking a position anywhere. Accordingly I decided to give her a trial outside. I obtained a position for her with a farmer in the Western District. The two girls at the Oakleigh Convent were doing splendid fancy-work and I also decided to give them a trial outside. Within six months these girls were just about as degraded as they could possibly be. They all came under the influence of some hoboes and went off with them, with the result

that not long after they came back to the Lake Tyers Station diseased. These are not the only examples I could cite; they are three outstanding cases which I have in mind and they exemplify the difficulty of absorbing this class of people amongst the whites in areas where there are large white populations. The half-castes got into the hands of degenerate whites, and that is the end; they go on breeding in the same way.

Mr. NEVILL.—We have had much the same difficulty in Western Australia. Every administration has trouble with half-caste girls. I know of 200 or 300 girls, however, in Western Australia who have gone into domestic service and the majority are doing very well. Our policy is to send them out into the white community, and if a girl comes back pregnant our rule is to keep her for two years. The child is then taken away from the mother and sometimes never sees her again. Thus these children grow up as whites, knowing nothing of their own environment. At the expiration of the period of two years the mother goes back into service so it really does not matter if she has half a dozen children. Our new legislation makes it an offence for a white man to have sexual intercourse with a colored girl. About twelve prosecutions are pending for contraventions of that provision of the new act, and before long I am sure that there will be a diminution of that trouble.

#### PROPOSALS BY QUEENSLAND.

Mr. BLEAKLEY.—I make the following suggestions for consideration by the conference:—

1. That the conference recommends the determination of a basic living wage for all male and female aborigines and half-castes throughout Australia, and that a uniform sliding scale of remuneration below such basic wage for old and inefficient workers be arrived at.
2. Following the determination of a basic wage, all aboriginal and half-caste women not in receipt of State aid shall be eligible to receive Commonwealth maternity allowances *pro rata* to the determined basic wage and proportionate to the existing basic wage for whites.
3. All aborigines and half-castes over the age of 65 years male, and 60 female, not in receipt of State aid, shall be eligible for the Commonwealth old-age pension, to be assessed on the determined basic wage for aborigines and half-castes proportionate to the existing basic wage for whites.
4. Effective measures shall be taken by the Commonwealth Government to prevent unlicensed foreign fishing vessels working in Australian territorial waters to the detriment of aboriginal seamen; also to prevent abuse of aboriginal women by foreign indents by establishing an effective armed patrol for Northern Australia.
5. That representations be made for the establishment of a leprosarium in Northern Australia for the reception and treatment of northern aborigines.

In Queensland we have minimum rates of wages, but the rates for aborigines are considerably lower than those for white men, and we have a certain amount of difficulty with employers who recruit native labourers in another State and introduce them into Queensland.

#### ECONOMIC PROBLEM.

Professor CLELAND.—An aspect of the native problem which I should like to have considered is, that the still fully tribalized natives who have not come into contact with the white man should be kept intact, either by means of reserves or in some equally effective way. I make this suggestion essentially on economic grounds, because it does not pay to have these people dertribalized.

In the Musgrave Ranges we have 150 or 200 natives who are still in their tribal state, and who are much better occupied in entirely subsisting from the products of the bush than they would otherwise be. They are occupying the country better than it would be by two or three, or perhaps half a dozen white men who would despoil the waters, and then be forced to give up their holdings when the first drought rendered them useless. The detribalization of the natives I have in mind with the admixture of white blood would increase the expenditure of the State, so it would pay us better to keep those people intact, than to try to improve them and help them socially. Another suggestion I have to make is that in compiling a census of the population of Australia we should include every one, and not exclude half-castes and full-blooded aborigines. The result would be a showing of the native population as part of the general population of the country. Thus, instead of the census showing the northern parts of Australia to be populated with only a few thousand people, we could show it as being incapable of maintaining a higher number of persons than are now actually there.

*Conference adjourned at 12.30 p.m. until 2 p.m.*

#### CONDITIONS IN THE NORTHERN TERRITORY.

Mr. BAILEY.—I suggest that, before any decisions are arrived at on the various subjects raised this morning, the conference proceed to a general discussion of those subjects.

Mr. McLEAN.—I think that more satisfactory results would be obtained if the conference dealt with one subject at a time.

Dr. COOK.—I agree with Mr. McLean, but the statements of Mr. Bleakley, Professor Cleland and Mr. Neville were so informative that I think it would be well if the representatives of each State or Territory first outlined conditions in their State or Territory for the information of the Conference. If that is agreed to, I shall briefly detail the provisions made in the Northern Territory, in the hope that representatives of New South Wales and Victoria will do the same in respect of their States. Then, having those views before us, we could proceed to deal with the several items, one by one.

The conference having accepted my suggestion, I shall refer, first, to the advance made in connexion with the treatment of half-castes in the Northern Territory. About 1929, the Commonwealth committed itself to a policy of lifting the half-castes to the standard of the whites. That policy, which has since been adopted by Western Australia, has been assailed from time to time, and, therefore, I shall give reasons for it. The white population of the Northern Territory is less than 4,000. Unless some unforeseen event occurs, such as the discovery of oil in payable quantities, or of valuable deposits of precious metals, that population is not likely to exceed 10,000 or 12,000 during the next half-century. Notwithstanding that the establishment of a garrison, naval base and airport at Darwin will increase the present white population there, and provide further avenues for employment and development, I do not think that my estimate will be exceeded. The natural increase of the white population in the Northern Territory is minus .3 per 1,000, so that, if left to itself, the white population would eventually die out. The natural increase of the half-caste population of the territory is 18 per 1,000. The census reveals a half-caste population of 758 in the territory, but as half-castes with alien fathers are not included in the half-caste population, the estimate is low. A more correct approximation of the half-caste population of the territory would be 900. They are nearly all young, at least half of them being children. We have to face the position of raising them collaterally with the white

population of 4,000. In other words, there is now a population of half-castes numbering one-fifth of the total whites, and having a natural increase of 18 per 1,000 compared with the white rate of minus .3 per 1,000, and it is only a matter of a few years before the half-caste population will approximate that of the white population. In my opinion, the Northern Territory cannot absorb all these people in employment, and, consequently, the question of disposing of the half-caste population arises. Should the total population reach 10,000, there will be work for, say, 3,000 of them. The problem will then arise as to who will do the work that is available. If half-castes are employed, the whites will be unemployed, and they will leave the country. If, on the other hand, the whites are employed, the half-castes will be out of work, and will have to be maintained by the Commonwealth Government. The prospects in 50 years' time may be classified in one of three groups. First, there might be a white population in employment, all the work available being performed by white men. Included in the population would be a large number of half-caste adults, physically fit for work, but unable to obtain it, because of exclusion by law. They would be dependent on the territory for their maintenance. Secondly, instead of excluding them by law from employment, they might be employed in one of two ways. They might be employed as a subject race, at lower rates of pay, with white men occupying the supervising positions. That, however, would deprive large numbers of white men of the opportunity to live in the Northern Territory, and the work would be performed by an inferior type of individual existing on a lower standard than that of the white. In such circumstances, the extra white population would have to migrate. Thirdly, the half-caste and the white man might be given parity, each competing with the other for the work available. In that event, the half-caste would have to go if he could not compete with the white. Each of these alternatives has its unsatisfactory aspect. I suggest that if the half-caste is maintained at an inferior status, and he multiplies more quickly than is the case with whites, an untenable position will eventually arise. The half-caste population will probably rise in revolt, and, in any case, it will create racial conflict which may be serious. If, on the other hand, the half-caste is raised to the level of the whites, he will be able to migrate to other parts of Australia, and compete there with white men on an equal footing should employment not be available for him in the territory. That would relieve the tension in the territory. After consideration of these alternatives, the Commonwealth decided to raise the half-caste to the level of the whites. The children are to be educated as whites and apprenticed in industry as whites, and will compete in the labour market as whites. So far, the Commonwealth has seen no reason to regret the policy it has adopted, although it has been in operation for only seven or eight years.

If we accept that policy in relation to the half-castes, and admit all its implications, the question of the aboriginal raises a similar problem. In respect of aborigines, the Commonwealth recently adopted a policy somewhat analogous to that detailed by Mr. Bleakley. It divided the aborigines into three classes. First, there are the wild, uncivilized blacks, who, temporarily at least, are to be left on their reserves to live their own lives as aborigines, uninfluenced by white activities, except that the Minister may permit missions to exercise some control over them. Secondly, there are the semi-civilized aborigines, living in the neighbourhood of white settlements—chiefly pastoral properties—and it is proposed that they shall continue more or less as at present. They will continue to be employed on stations,

care being taken that they and their dependants shall not suffer by reason of the employment of able-bodied young men. In the vicinity of such places of employment it is proposed to provide reserves where unemployed aborigines will be more or less maintained under tribal conditions by those in employment, and whither, during periods of unemployment, those who have been employed may retire. The purpose of these reserves is to provide the aborigines with the means of continuing their present state of existence—a semi-tribal life—but the ultimate intention is that they shall be brought under the same control as is now proposed for those who are regarded as detribalized. In the vicinity of the white settlements, it is proposed that the detribalized aborigines shall be educated and trained in various avocations, in which they can make a living without competing with the whites. There is no essential difference between the policy of the Commonwealth and that detailed by Mr. Bleakley.

Were a policy of *laissez faire* followed, the aborigines would probably be extinct in Australia within 50 years. Most of the aboriginal women would become sterilized by gonorrhoea at an early age; many would die of disease, and some of starvation. If aborigines are protected physically and morally, before long there will be in the Northern Territory, a black race, already numbering about 19,000, and multiplying at a rate far in excess of that of the whites. If we leave them alone, they will die, and we shall have no problem, apart from dealing with those pangs of conscience which must attend the passing of a neglected race. If, on the other hand, we protect them with the elaborate methods of protection which every conscientious protector would adopt, we shall raise another problem which may become a serious one from a national viewpoint, for we shall have in the Northern Territory, and possibly in North-western Australia also, a large black population which may drive out the white.

The policy of the Commonwealth is to do everything possible to convert the half-caste into a white citizen. The question arises whether the same policy should not be adopted in regard to the aborigines. In my opinion, there are three alternatives. First, we may adopt a policy of *laissez faire*, which, to every Protector of Aborigines, is repugnant; secondly, we may develop an enlightened elaborate system of protection which will produce an aboriginal population that is likely to swamp the white; or, thirdly, we may follow a policy under which the aboriginal will be absorbed into the white population. My view is that unless the black population is speedily absorbed into the white, the process will soon be reversed, and in 50 years, or a little later, the white population of the Northern Territory will be absorbed into the black. I suggest that we first decide what our ultimate objective should be, and then discuss means to that end.

#### CONDITIONS IN NEW SOUTH WALES.

MR. HARKNESS.—I am attending the Conference as a member of the Aborigines' Protection Board of New South Wales. I am an inspector of schools, not an expert on aborigines. I have, however, had some contact with them. The board is constituted of the Commissioner of Police, the Under-Secretary, who is my own brother, Dr. Morris; the Director-General of Public Health, four Members of Parliament, and Mr. Mitchell, who was once Superintendent of Police. The board seeks to take care of the aboriginal people, whether they be full-bloods, half-castes, octoroons or quadroons. Our problem is not so difficult as that of the other States, excepting Victoria, where it is almost negligible. We have 1,000 full-bloods, and the number is diminishing, and about 10,000 half-castes, and the number is rapidly increasing. What has been said by other speakers is true in principle

of New South Wales. Mr. Pettitt knows a great deal about the internal administration of the department, but I have visited quite a number of our stations. We have about 30 throughout New South Wales, and on each of them we have a teacher-manager. There is difficulty in comparing costs in one State with those in another, for the circumstances vary greatly. The problem, as I see it, is, however, not primarily one of finance, although we have always been handicapped by lack of funds. Quite a revolution has occurred in the approach to the problem during the last ten years. Certain stations have been rebuilt, and the people have been given more self-respecting conditions. Generally their outlook has greatly improved. Good homes have been provided, and the men and women have been better able to perform their functions. Many of the men have been induced to seek outside employment. Ultimately, however, we shall have to grapple with the problem, and I think we should take the long view. Every effort should be made to merge these people into the white population. Their potentialities are, of course, very great. In my experience, I have come across quite competent men and women of fine character, and if we could merge them into the general population, the problem would become a minor, and not a major, one. I think it is splendid that the Commonwealth Government has seen fit to call us together to consider the situation. We do not wish to have the collateral growth of an untouchable population in Australia. I have seen something of the problem in America, and it would be terrible to contemplate any such situation arising in Australia. If we tackle the problem early we shall be able to avoid such a calamity. I was appalled by what Dr. Cook said about the Northern Territory in the course of his very lucid speech. It is awful to think that the white race in the Northern Territory is liable to be submerged, notwithstanding that on this continent 98 per cent. of the population is of British nationality. If we remain callous we shall undoubtedly see the black race vanish. There is an historical appeal in preserving a vanishing race, but I think we should seek to assimilate these people. In New South Wales, we are doing most of the things which Mr. Bleakley referred to in his fine report. I am sure that Mr. Mackay would be very pleased if any members of this conference could find time to visit some of our stations to see for themselves what is being done, particularly in the way of making these communities self-supporting. I have in mind a station of about 240 people some miles out of Quirindi. The men there get work on the surrounding stations and then return to their reserve. They earn quite a good living and are more or less contented. We also have a system of taking girls in the early adolescent stage and training them for domestic service. These girls reach quite a high standard. Unfortunately, of course, if they go back to the old surroundings, they revert to the old habits, and particularly to the lower moral standard, and become the mothers of illegitimate children early in life. It is not for this generation that we must work, it is for the next generation. My brother has taken one of these boys as a gardener, and is getting quite good work from him, and I have taken a girl into domestic service. She is intelligent, industrious, and clean, and submits to reasonable discipline. I do not think that if she were to go back to her station she would revert to the old standards, but, of course, one never knows. I am sure that if we can put into operation some improved technique in the handling of these people we shall be able to alter their attitude to life, and make it possible for them to be assimilated into the community, and become good citizens. I appreciate that the problem in the Northern Territory, Western Australia and Queensland is very much more difficult than that which faces us.

Perhaps Dr. Morris and Mr. Pettitt, who is our most knowledgeable delegate, as secretary of the board, will be able to amplify what I have said.

#### CONDITIONS IN SOUTH AUSTRALIA.

Mr. McLEAN.—I find that the problems outlined by the previous speakers are very similar to those which we have to face in South Australia. The difference is chiefly in degree. What Dr. Cook had to say is to a large extent true in our experience. People who are protected, especially those who are less than full-blooded aborigines, multiply very quickly. Until twenty years ago the two settlements in South Australia, at Point McLeay and Point Pearce, were under the control of missionary agencies, but they then came under the control of the Government. At that time the population was largely full-blooded aborigines. To-day the population is practically all half-caste. On one station we have only six full-bloods and on the other only 26. It appears essential to merge these people into the white race, and a start should be made without any great delay. Most people, I think, are of the opinion that the half-castes and those of lesser degree of aboriginal blood should ultimately be absorbed. People of other races are being absorbed in Australia to-day and are becoming part and parcel of our general community. We have Greeks, Maltese, and Italians, in particular, entering into the communal life of our cities and country towns. Colour is lost fairly rapidly when there is a mixture of white blood with the aboriginal, but unfortunately racial characteristics and habits are not so easily laid aside. This is particularly true of half-castes herded together in institutions. Children, two or three removes from full-blood, have blue eyes, fair hair and other features which, if they were mixing with white people, would make it difficult to distinguish them from people of full white blood. The difference in reliability, independence and ability to maintain themselves is very marked in half-castes from institutions and those who have grown up in outback areas and have had to fend for themselves, more or less. The half-caste who has grown up in the bush is able to take his place as a workman and is generally considered by employers to be fairly competent. That is not so true of half-castes who have grown up in institutions. This leads to the conclusion that half-castes should be encouraged to leave institutions and mingle more freely with the general public. There are, however, many practical difficulties connected with this progressive step. When I say that the half-castes in institutions have inherited their lack of ambition from the full-bloods, I do not speak depreciatingly of the full-bloods who, under natural conditions, use the means of livelihood at their disposal to the fullest extent. Under the sheltered conditions of the institution, the half-castes increase quite rapidly. The population at Point Pearce, for example, has doubled itself in seventeen years. The people who grow up in institutions seem to have deeply embedded in their minds the old story that as the Government took their land from them it is responsible for their future existence. They resent interference with any unhygienic mode of living, are not willing to adopt proper conditions of sanitation and will not take steps to protect themselves or their families from infectious diseases. They seem to be incapable of sustained effort and have many other peculiarities. Whether these unfavorable tendencies are accentuated because they are herded together has not been definitely proved, but I am of the opinion that this herding is one of the chief obstacles to progress. Families and individuals who have left institutions and settled among white communities have nearly always been the cause of trouble, involving white residents, local governing bodies and the department responsible for the care of the aborigines. The usual request is that they be removed from

townships and sent back to reserves and institutions. It is only among the lower order of whites on the outskirts of country towns that they can mingle. It is generally said that the locality in which they settle becomes a hotbed of immorality, and that the low-class whites take drink to them and encourage them to lend their women to the white hoboos of the town. Lack of employment has been one of the main stumbling blocks. We have not been able, in recent years, to find employment for our white population, and this makes it very difficult to find work for aborigines. Moreover, when work is found for them it is difficult to keep them at it constantly. The men are very ready to leave one job for another, or for no job at all. I am not altogether in favour of controlling the children in institutions. Parental control, even though it may be doubtful, is better, in the end, for a child than institutional control. I have given very careful consideration to this subject and am of the opinion that the best time to take half-castes and quadroons away from mission stations and aboriginal reserves is when they marry. If you take away a couple just married and find employment for the man in a country town and also provide him with a home, he will be able, in some fashion at least, to control his children. They will be able to attend school with white children, and will have a much better opportunity to live a successful life than children who are kept together in an institution. I do not say that very much progress is likely to be made by the father and mother. They will always be a difficulty, but their children will have a better opportunity than if kept on an institution. The ultimate result will be that the children will attain to a degree of self-reliance and self-respect that will give them a definitely improved status. In regard to what Mr. Bleakley said about half-caste communities our experience is that these people are quite unwilling to do any service in return for what is done for them unless they receive payment. That is a stumbling block. We also have difficulty in dealing with these people when they commit breaches of the regulations. The only method available to us is the law, and if a prosecution is instituted the penalty can only be imprisonment or a fine. Mostly, the people concerned go to gaol because prison life is not altogether disagreeable to them.

#### CONDITIONS IN NEW SOUTH WALES.

Mr. PETTITT.—The crux of this problem is the adoption of some means of merging the half-castes into the general community. Our experience has been that when these people are put to it to paddle their own canoe they have not made much of a success of it. They leave their reserves and generally reside on the outskirts of some town or village and there they are very apt to become a reproach to the neighbourhood. Some provision should be made by which we could say, "This particular man and his family should be given some opportunity to settle outside a reserve". We should then be provided with the means to make such a transfer possible. It seems to me that some scheme, such as that in practice at Hammondville, might have possibilities. Canon Hammond obtained an area of land near Liverpool, which he subdivided. He secured a certain amount of money, with which he built cottages. Into these places he placed unemployed people who were down and out and who were likely to become pariahs. The result, I am told, has been very good. I suggest that this conference should consider the possibility of evolving a scheme of that kind for dealing with quadroons and others who naturally fall outside the four corners of our regulations. If these people were put into a settlement of that description I think something might be done with them.

Mr. BAILEY.—Is there any supervision in the Hammond unemployment camp?

Mr. PETTITT.—Canon Hammond exercises some supervision. The allotments and the cottages were made available to the people concerned for a small rental of 5s. or 6s. a week, and in the course of five, six or seven years the buildings become the property of the tenants. The money received from the rentals is used to build other houses and the scheme has a snowball effect. I understand that a fair proportion of the people who went into these places have returned to more or less normal employment. I am not saying that the scheme could be adopted in its entirety, but something along the same lines might be tried.

Mr. BAILEY.—Would you not have the concentration idea again in practice if that procedure were adopted?

Mr. PETTITT.—I understand that Canon Hammond's scheme has been criticized on the ground that it is developing a community of an undesirable character, but Canon Hammond denies that this is so. Of course, the same criticism has been advanced of settlements developed in the ordinary way by government aid to the unemployed. It is said that they result in a concentration of the same type of people. That is a point that would need to be considered. Mr. McLean spoke about the children of half-castes attending ordinary day schools. Our experience has been that in very many cases objection has been raised to this by Parents and Citizens Associations and sometimes other provision has had to be made. There are influences pulling in various directions.

Mr. BAILEY.—Is not the objection generally on the basis of health or unhygienic conditions?

Mr. PETTITT.—There seems to be a great deal of prejudice and antagonism on the score of colour alone. There is a good deal of mealy-mouthed hypocrisy about this business. Even some church people who should support us and who, in the abstract, agree that the aborigines have had a raw deal and that something should be done for them, often say, when it comes to the practical application of the principle: "For God's sake do something for these people, but do it alongside other men and not alongside us".

As far as citizenship rights are concerned, every aboriginal, whether full-blooded or otherwise, possesses a State vote, while every half-caste enjoys a vote for Federal purposes. Except when they are on the reserves, and except that they are not allowed to obtain liquor, they enjoy all the rights and privileges of the white people. They may join unions, work where they like, and live where they like. It is not true to say that they are inarticulate. Only a little while ago, at a political gathering, there was passed a motion inspired by a half-caste who had been dealt with on one of our reserves.

Statements have been made from time to time about aboriginal girls in domestic service becoming pregnant. In New South Wales, we throw the responsibility on the employer for the physical and moral well-being of apprentices. As a matter of fact, the number of girls who get into trouble is negligible. Most of them serve right through their apprenticeship, and continue in the same employment for years. We consider that if we can keep them away from the dangers of camp life until they reach years of discretion we are doing good work. They are employed both in the country and in the city, and we are very careful in the selection of the homes into which they are introduced. In the cities there is a constant demand for them from the best class of suburb, and we never have any difficulty in finding places for them.

Dr. MORRIS.—What chance is there of those girls marrying?

Mr. PETTITT.—We make provision for that by allowing them to return to their own homes for a holiday after a number of years. There they generally meet some young fellow of their own colour. Sometimes they are married more or less immediately, and remain, or arrange to marry some time in the future. The problem then, of course, is to set the young man up in life independent of the reserve.

Mr. McLEAN.—Are these girls constrained by force to remain in their employment, and, if so, what happens when they quarrel with their employers?

Mr. PETTITT.—We deal with each case on its merits. Very often we find that it is a question of incompatibility of temperament, and we move the girl to other employment. It has sometimes happened that, after two or three shifts, a girl meets with an employer with whom she is perfectly happy. We do not force a child to remain in a place if she is miserable there.

Mr. BAILEY.—Is it your experience that, when half-castes marry and set up homes of their own, they tend to harbour other blacks?

Mr. PETTITT.—There is a tendency in that direction, but we have many instances in which the setting up of such homes has been attended by outstanding success. I know of one couple who married, and built a first-class cottage which was fully paid for, and their standard of living is equal to that of any one else.

Mr. BAILEY.—My own opinion is that it would be better in the interests of half-castes to take them away from their parents, but I know that public opinion would not sanction such a course.

#### GENERAL DISCUSSION.

Mr. NEVILLE.—Dr. Cook referred to the problem of preserving the full-blooded aborigines, and I agree largely with what he said. In my opinion, however, the problem is one which will eventually solve itself. There are a great many full-blooded aborigines in Western Australia living their own natural lives. They are not, for the most part, getting enough food, and they are, in fact, being decimated by their own tribal practices. In my opinion, no matter what we do, they will die out. It is interesting to note that on the departmental cattle stations established in the far north for the preservation of these people, the number of full-blooded children is increasing, because of the care the people get. The establishment of these stations has also had the effect of putting an end to the cattle killing which formerly prevailed. At the present time, however, there are in Western Australia about 10,000 full-blooded aborigines who are detribalized, but among them there are only 1,932 children. On the other hand, among the 3,559 half-castes there are approximately 2,000 children. It will be seen, therefore, that the problem of the future will be not with the full-bloods, but with the coloured people of various degrees. The full-bloods may be looked after on the cattle stations for the time being, but their number is decreasing rapidly as the result of tribal practices. In a bad season in the north practically no children are reared, while in a good season the number may be fairly considerable. Infanticide and abortion are extensively practised amongst the bush people. They follow their own customs, and no attempt to influence them has much result. We have to consider whether we should allow any race living amongst us to practice the abominations which are prevalent among these people.

Mr. HARKNESS.—Do they actually kill the children?

Mr. NEVILLE.—Yes, they just knock them on the head if they cannot feed them. Of course, if there is food, the children are fed and looked after. However, so many women have become sterile through the practice of abortion that the percentage who can bear children is now small.

At the present time, there are between 4,000 and 5,000 natives, mostly full-bloods, employed in Western Australia. They are giving excellent service on cattle stations, and there is no dearth of employment. In fact, not enough of them are available.

Mr. BAILEY.—What about the womenfolk of the men employed on the stations?

Mr. NEVILLE.—The women work also. If a station owner takes on an aboriginal man he must also feed and look after that man's dependants. We say that an idle native is a bad native, and we try to induce them to work in one way or another. Even industrial work does not come amiss to the natives. We manufacture about 10,000 garments a year for the natives, and every one of them is made by the natives themselves. They work the sewing machines just as well as do white girls.

Reference has been made to institutionalism as applied to the aborigines. It is well known that coloured races all over the world detest institutionalism. They have a tremendous affection for their children. In Western Australia, we have only a few institutions for the reception of half-caste illegitimate children, but there are hundreds living in camps close to the country towns under revolting conditions. It is infinitely better to take a child from its mother, and put it in an institution, where it will be looked after, than to allow it to be brought up subject to the influence of such camps. We allow the mothers to go to the institutions also, though they are separated from the children. The mothers are camped some distance away, while the children live in dormitories. The parents may go out to work, and return to see that their children are well and properly looked after. We generally find that, after a few months, they are quite content to leave their children there.

Mr. HARKNESS.—What happens to these children afterwards?

Mr. NEVILLE.—They leave in time and go into service or other employment, and they may return to the institution at any time, if they like. Our experience is that they come to regard the institution as their home, and are happy to return to it for their holidays. These homes are simply clearing stations for the future members of the race. We recognize that we cannot do much with the older people, except look after them and see that they are fed. As regards the younger people, from twenty years upwards, we can find employment for them if possible, but it is of the children that we must take notice. You cannot change a native after he has reached the age of puberty, but before that it is possible to mould him. When the quarter-caste home, in which there are now nearly 100 children, was started we had some trouble with the mothers. Although the children were illegitimate, the mothers were greatly attached to them, and did not wish to be parted from them. I adopted the practice of allowing the mothers to go to the institution with the children until they satisfied themselves that they were properly looked after. The mothers were then usually content to leave them there, and some eventually forgot all about them.

Mr. BAILEY.—Are the children, during their hours of recreation, allowed to run back to their mothers who are camped at the institution?

Mr. NEVILLE.—No. The native settlement is divided into two parts, the compound, and the camp, which is about half a mile away. When they enter the institution, the children are removed from the parents, who are allowed to see them occasionally in order to satisfy themselves that they are being properly looked after. At first the mothers tried to entice the children back to the camps, but that difficulty is now being overcome.

Dr. MORRIS.—What percentage of these quarter-caste children marry whites when they grow up?

Mr. NEVILLE.—There has not yet been time for them to grow up.

Mr. HARKNESS.—Can your department take them by force up to any age?

Mr. NEVILLE.—Yes, up to the age of 21.

Dr. COOK.—The point I tried to make in my earlier remarks was that if we leave the aborigines in the north alone they will die out. On the other hand, if we bring them under our influence they will breed, and their numbers increase until they menace our security.

Mr. HARKNESS.—Do you think we should encourage them to breed?

Dr. COOK.—I am not expressing an opinion at the moment. As protectors of aborigines, having regard to these possibilities we should discuss what our policy is to be. During the last seven or eight years, between 40 and 50 coloured girls have married whites.

Dr. MORRIS.—I am afraid we cannot expect such satisfactory results in other parts of Australia where women are more plentiful than in the Northern Territory.

Dr. COOK.—The answer is that we must make the coloured girls acceptable as whites.

#### CONDITIONS IN VICTORIA.

Mr. CHAPMAN.—We are all agreed that the most urgent problem is the absorption of the quadroons and octeroons into the white community. The trouble is that conditions vary considerably as between one State and another. As Dr. Morris has pointed out, it is probably much easier for coloured girls in the Northern Territory to get white husbands than it would be for such girls in Victoria. Moreover, there is little scope in Victoria for the employment of aborigines or half-castes on stations. Again, the powers of control exercised by the departments in the various States vary very greatly. Mr. Neville has told us that in Western Australia the department enjoys practically unfettered control. Under the Victorian act, only full-blooded or half-caste natives who, by licence, reside on a station, or who apply for residence, come under our legislation. There is nothing in the law governing the sale of intoxicating liquor to aborigines to prevent the sale of the liquor to half-castes.

In Victoria, many of the half-castes have been living under civilized conditions for five generations, and they would raise an outcry, in which they would receive support from white people, if any effort were made to deal with them on lines upon which it is proposed to deal with half-castes in Western Australia. Our experience in Victoria is that half-castes will do work under supervision, but they cannot be trusted alone. For example, some of them were engaged recently in road work near Lake Tyers. A bushfire occurred and every pick, fork, shovel and hoe with which they were equipped was destroyed in the fire. The result was that the work was held up until they were re-equipped. That is an example of their lack of responsibility. We had yet another indication not so long ago. Under supervision they built an excellent barn and stables, with a concrete floor, on the station. The manager told me that he arrived just in time to prevent them from laying the concrete before they had put the posts in position. Another difficulty is the inability of the aborigines to fend for themselves. According to our latest statistics, the number of half-castes at Lake Tyers is about 240, whilst, in the whole of Victoria, the number is 586, which means that more than 300 of them are fending for themselves, as members of the community. These people are in no way under supervision of the Board. The only control we have is over those at the Lake Tyers Station—half-castes residing on the station with the permission of the Board. At Framlingham, outside Warrnambool, we have an area of land which was originally a station for

the care of aborigines, but which was closed some time ago. It has now become a community settlement for a number of quadroons and octoroons, who, entirely without authority, have settled there. Some of them are on sustenance work, and some eke out an existence at timber cutting. One man, quite without authority, has fenced in 70 acres of land, and is running 35 cows. The condition of those people is deplorable, and the residents of the district have approached the State Government with a request for the supervision of the settlement. The residents have also offered to form a local committee to assist in the supervision of the camp. Some of the huts are built of bark, and the whole area is strewn with tins and empty beer bottles. The settlement is an undesirable development in a civilized community. As I was saying, as the result of experience of five generations of natives living in contact with white people under these conditions, the promise of half-castes to maintain themselves is not very hopeful. Of course, there are individual families who are able to, and who do take care of themselves. At Condah, three families of half-castes are conducting successful farms, and along the Murray River there are camps similar to the one at Framlingham. The men under control at Lake Tyers do excellent work, but on occasions, when they have gone away to such occupations as bean-picking at Orbost, they have left their families at the station to be kept by the Government, and have earned good money, but invariably the majority return to the station absolutely penniless and, in some cases, the worse for drink, and often the worse for disease. It is then the job of the management to nurse them back to health.

#### GENERAL.

Professor CLELAND.—I should like some elucidation of Dr. Cook's statement, and I should like to know if he had in mind a race of pure-blood aborigines, or one of mixed half-castes. Did he mean that the pure-blood aborigines, if left entirely to their own resources in their own country, hunting, and living as they have done for ages, might be expected to increase beyond the present limits, if they were protected from coming into contact with white men? I cannot imagine the Musgrave Range aborigines, left as they are, increasing beyond their present numbers. I think that the death rate would not decrease, but I foresee that, despite the measures taken, the tribalized natives would escape vigilance and become detribalized, so in that way their numbers would diminish. It would be much more economical to leave them in their present tribal conditions. We have a big enough problem to keep the detribalized natives without having to cope with an influx from the tribalized natives.

Dr. COOK.—Possibly the confusion in Professor Cleland's mind is due to the fact that I approached the half-caste problem first, and then discussed the full-blooded aborigines. We are faced with the problem of the half-castes multiplying. To overcome that, we are suggesting a policy of treating the half-caste as a white, so that the male can take his place in a white community, and the female can be accepted as the wife of a white man. That is the half-caste aspect of the problem. Under the policy of *laissez faire*, as suggested by Professor Cleland for the Musgrave Ranges aborigines, and as the Commonwealth authorities suggest for Arnheim Land, at the best, the rate of population increase at present existing will be maintained, but the number will not vary greatly, due to the habits and mode of living of the aborigines. These factors will keep the natives' numbers much the same as they have been for four or five centuries. If we meddle with them, bring them into reservations, attempt to eradicate their bad habits, and give them a white outlook, we shall be raising another colour problem. Are we going to do that or not?

Mr. BLEAKLEY.—I am satisfied that the problems of Western Australia, the Northern Territory and Queensland are similar, but probably different altogether from those of New South Wales, Victoria, and South Australia. I do not think that members of the Conference have exactly grasped what we have in prospect in Queensland. We have a full-blooded aboriginal population of about 10,000, of which, say, one-third, or, at the most, 4,000 are living a nomadic life. Very few of them have not come into contact with white people, the result being that, although they are living a nomadic life, and are maintaining tribal practices, many of which are harmful, they need supervision. It is essential, first of all, to realize that we have no right to attempt to destroy their national life. Like ourselves, they are entitled to retain their racial entity and racial pride. But it is evident that they cannot be left to work out their salvation without some benevolent supervision. It is also evident that the encroachment of white settlement is gradually destroying the natives' natural means of subsistence. While their native life should not be interfered with more than is necessary, it seems essential that they should be encouraged gradually to change from the nomadic life, particularly now that their means of subsistence is becoming precarious. They should learn to raise from the soil something of the means of subsistence, of which they are now being deprived. It is essential that they should be saved from being destroyed by contaminating influences, because, after all, I dare say, even in the wildest parts of the north-west, the primitive native is suffering from contact with the lower type of white people—miners, stockmen and others—who invade his territory. It seems essential that there should be men there exercising supervision, upon whom we can depend to see that the natives are protected, and who will so educate them that they will gradually abandon the destructive practices, which are responsible, it is claimed, for a great deal of the sterility of the race. It seems to me to be a case of either helping these people under protection and supervision gradually to change their lives, so that they can maintain themselves in happier circumstances, or allowing them to take their chance against the invading race. They have no chance whatever in competition with white races. In the first place, the native is voteless. Contact with white races has resulted in the birth of a number of half-breeds, a great number of whom have been fathered by a low type of white man. The result is that the half-breed, although he may not have the colour of the aboriginal, has his habits, and consequently cannot happily be absorbed into the white race. The half-breeds must be protected. The aboriginals' own leanings do not make him a very settled worker. Probably, the form of employment a native likes best of all is in the pastoral industry, because it is nearer to his own life than any other occupation that can be given to him. He is fond of horses, and makes a good rider. The natives' tracking ability and knowledge of the country, particularly their own country, make them valuable employees. We have found that even the semi-civilized need protection and control, otherwise they become a menace to the white race by reason of their low social conditions, and their susceptibility to disease and illnesses, which, in a white community, we are better able to control. In Queensland, as I have said, perhaps not more than 9,000 of these people are living on reserves and, of course, are under supervision. Perhaps another 4,000 or 5,000 are living in contact with whites in districts in various forms of employment. We have found it necessary, if we are to protect them, to keep them under constant supervision, because whilst a white employee is able to demand the statutory living wage, some employers consider it sufficient if they give an

aboriginal 5s. a week, despite the fact that, in many cases, an aboriginal employee is more worthy of his pay than is the type of white man who is willing to go to those far-distant localities for employment. After all, the labourer is worthy of his hire, and there is no reason why, because he has no vote and is ignorant, the aboriginal should be exploited by the white employer. Not only is it necessary to ensure that the natives receive adequate remuneration, it is also necessary to ensure that when they do receive their wages they are not defrauded of them, or inveigled into gambling games by white men.

Mr. HARKNESS.—Is it your experience that natives have a leaning towards gambling? That is our experience in New South Wales.

Mr. BLEAKLEY.—Yes. They are all infected with the gambling fever. We consider, however, that it is not fair to deal drastically with the gambling until we can offer them something better in the way of recreation.

Mr. HARKNESS.—What have you done in the provision of recreation halls?

Mr. BLEAKLEY.—Several have been provided, but we do not allow government money to be expended in that direction. The natives are encouraged to raise the funds themselves for that purpose, and they do so from sports and their share of the gate proceeds of football and cricket matches which are occasionally arranged against the teams of white men from the surrounding towns. Their sportsmanship in these encounters has often been much better than that of their white opponents. Recently when an aboriginal team played a game at one centre, 70 or 80 miles from their settlement, they were complimented on their conduct, which, it was said, was in marked contrast to that of their white opponents.

Mr. PETTITT.—In Queensland, are these people living in shacks?

Mr. BLEAKLEY.—In the settlements, the aim is to induce them to adopt civilized living conditions. There are dormitories, schools and hospitals, supervised by resident or visiting medical officers. Whenever possible the hospitals are in charge of trained nurses with general midwifery certificates, the wardmaids and wardsmen being trained from the educated natives. The native girls are in dormitories controlled by a white matron, who also has charge of the boys and the infants in the baby clinics. A number of mothers take their children to the clinics. Not every child has to be handed over to the charge of the dormitory system. If a mother is able to take care of her children, she is allowed to do so. If she neglects them, we have the power to take them from her, and put them into dormitories.

The Conference may have inferred from my paper read this morning that we still segregate a number of half-castes in institutions. I should explain that they are the type which we are satisfied are incapable of holding their own in competition with whites outside. To show you that we are not out of sympathy with the views of Dr. Cook and Mr. Neville, I emphasize that, for about 25 years, we have had a system under which half-castes, either men or women, but mostly men, are given exemption from control. We are particularly careful about the women because, as the Conference knows, it is so easy for the women to drift into circumstances not good for them. Unfortunately, the result of the exemption system has not always been encouraging. Many of these men, after working for probably ten years or more in contact with and in competition with white labour, have saved a decent sum of money. We took the view at first that if these men were fit to be given exemption, it was only fair that they should be allowed to handle their own money. Accordingly, in a number of cases, half-castes who had saved as much as £150, which was to their credit in

their bank accounts, had these balances handed over to them. In the majority of cases they squandered it all within six months. I mention that to show the need for benevolent supervision.

A year or two back I collected information from various States and from Ceylon and Noumea as to what was being done to help half-castes with a view to profiting by their experience. It will be admitted that a half-caste with 50 per cent. of European blood has the right to be given a chance to make good. A half-caste with 50 to 75 per cent. of European blood, under a system of benevolent help, should be able to hold his own in a community; but, in order to do so, he would have to make a living, and thus would need to know a trade. The attempts made in South Australia to give such persons an opportunity to make good were, it will be admitted, not encouraging. Their failure was due mainly to four big handicaps under which they were living. First, there was the colour prejudice. A great many white people have a prejudice against employing, or having in their home, persons of coloured blood. Secondly, they suffered the handicap of an inferiority complex. They felt keenly their half-caste position, which made it difficult for them to hold their heads up. Thirdly, they were uneducated. No doubt they could read, write and count, but they were not educated in the matter of protecting themselves in business dealings. Fourthly, they had no technical equipment whatever.

*Conference adjourned at 4.30 p.m.*

THURSDAY, 22 APRIL, 1937.

The Conference resumed at 9.30 a.m.; the Honorable H. S. Bailey in the chair.

#### GENERAL DISCUSSION.

Mr. BLEAKLEY.—While I realize that Dr. Cook has had very long experience in the territory, and is qualified to express an opinion as an administrator, an anthropologist and a medical practitioner, I should like to have some more evidence, if it can be produced, to justify the pessimistic view that he expressed yesterday as to the menace of the absorption of the white race by the coloured race in the Northern Territory. At the time of my visit to the Northern Territory in 1928, the native population was estimated to be 21,000, including 800 half-castes. During the following nine years the numbers have decreased, for according to Dr. Cook, they are now under 20,000, including 900 half-castes. If the preponderance of the native population is in any way a menace to the white people in the territory, is this not more likely to be accentuated if the aborigines are not to be controlled? It seems to me that control would be a safeguard. The commission that is at present studying the development of industries in the Northern Territory, and ways and means of encouraging white settlers there, may be expected to have some beneficial results, and it will, I presume, make recommendations to deal with any danger of the kind suggested by Dr. Cook. In the main, the policies in the Northern Territory and Western Australia are in accord with that of Queensland allowing for differences in local conditions. In Queensland we distinguish between cross-breeds of definite aboriginal leanings, and those of civilized leanings. All young half-castes and also aborigines are given education and, where possible, vocational training. For years past the policy has been to give the intelligent and ambitious adult half-castes the opportunity to secure their freedom and maintain themselves in a civilized community, but we have found them sorely at a disadvantage by reason of racial, educational, and temperamental disabilities. Investigations showed that

the parents of young half-castes had first to be uplifted before these young people could be placed in a civilized community under conditions which would enable them to win a place and hold it.

Mr. HARKNESS.—At what age do you take the young people?

Mr. BLEAKLEY.—We take them for rural training between fourteen and sixteen. At sixteen we apprentice the boys to the skilled native tradesmen. They receive elementary training in wood work, sheet metal, leather and iron work. It is usually possible then to ascertain where their inclinations lie.

Mr. HARKNESS.—Is this urban or rural training?

Mr. BLEAKLEY.—It might be either. The boys are also given some training in agriculture, poultry-raising and the like. Such instruction would be given in the proposed superior half-caste colony.

Mr. McLEAN.—Are these training schools in close proximity to half-caste settlements.

Mr. BLEAKLEY.—Rural schools are provided in almost every country district of Queensland. There is one about four miles from our main settlement. The half-caste lads attend the schools with the white children, and there has been no difficulty about it, even though the lads return to the settlement where their parents live. They come out of the settlement early in the morning, and go back in the evening.

Mr. HARKNESS.—How long has this scheme been in operation?

Mr. BLEAKLEY.—For about three years. The first lot of boys, on finishing their two years' course, were absorbed in the ranks of the skilled workers in the settlement. So far we have not tried to place the boys in outside ranks.

Mr. HARKNESS.—But that will have to be done ultimately?

Mr. BLEAKLEY.—We propose to establish a superior half-caste colony and a reserve for the purpose has been selected. We also give similar training to full-blooded boys who show aptitude.

Mr. HARKNESS.—What the Conference desires is to devise some means to merge these people into the general community ultimately.

Mr. BLEAKLEY.—We think that that could be done if a superior half-caste colony were established, though I am not suggesting that it should be called by such a name as it may be desirable to release them from the handicaps associated with their aboriginal origin. The half-caste parents of the young people of whom I am speaking can only overcome their own disabilities by liberal help and supervision. If their children are to enter the industrial ranks, and work with white boys and girls of similar age they must have a healthy and respectable home background. The idea is not to spoon-feed them, but to equip them to accept suitable employment. The idea is that they shall receive rural school training in all skilled trades and in pastoral and agricultural work, and then be introduced through the apprenticeship system to the occupations found most suitable.

Mr. HARKNESS.—The greatest difficulty will be found in lifting the standard of the people so as to make them acceptable to the white community.

Mr. BLEAKLEY.—This superior half-caste colony could be a sort of clearing house. In our view it is absolutely impracticable to expect these people to come into the white community without technical equipment.

Mr. HARKNESS.—Your idea is to make them feel equal to the occasion?

Mr. BLEAKLEY.—Exactly.

Mr. CHAPMAN.—What Mr. Bleakley has outlined is largely what is already being done in Victoria and New South Wales. Queensland is only reaching out to the stage of development that we have already attained. I do not think the Conference should spend

time in going into all these details. We ought to affirm a general principle.

Mr. BAILEY.—If we lay down the broad principles the details can be carried out as far as possible in each State.

Mr. BLEAKLEY.—I wish to have the general principles defined. In Queensland, there is definite opposition to any scheme for the marriage of half-caste girls to white men for the following reasons:—(1) None but the lowest type of white man will be willing to marry a half-caste girl, and as the half-caste women married by the white men are likely to gravitate to aboriginal associations such marriages have very little chance of being successful; (2) there is the danger of blood transmission or "throw back", as it is called, especially as the introduced blood, as in many Latin races, has already a taint of white blood; (3) such a scheme makes no provision for other wives of young men of the same breed.

Mr. NEVILLE.—It has been made apparent that Queensland has five or six times more money to spend on native people than Western Australia has to spend. The ideas that Mr. Bleakley has been placing before us have been broadcast for a number of years. In Western Australia we have no fixed wages or awards for the natives. We are perhaps twenty years behind Queensland in matters of this sort. In these circumstances it is not of much use for us to discuss all the details of a scheme which involves heavy expenditure. What we want to do is to state broad principles so that the aim of the various States may be to attain to such development. The young aborigines of our State are wards of the Commissioner up to the age of 21 years. The Commissioner is entitled to treat these young coloured people *in loco parentis*. That applies to quarter-caste children living under native conditions, but quarter-caste children living under other conditions, may, if necessary, be taken to court to be declared natives within the law. Our method of dealing with these young people has been to find decent employers for them. A good many employers have taken both boys and girls at a fairly early age. Up to sixteen years no question of wages arises but when sixteen years of age is reached the scale of wages becomes applicable. Children taken under such conditions never go back to their beginnings. They take their food in the kitchen with the rest of the staff on a homestead. We do not permit them to go back to native conditions. When their holiday time comes they travel to Perth and if they wish to go to see their parents on the reserve they are allowed to do so for a limited time. If they lose one position we do our best to find them another. When they are 21 years of age they become practically free and can do as they like as members of the general community. First and last with us it is a matter of the money available. If we had more money we could do very much more than we have been doing.

#### NATIVES NOT OF FULL BLOOD.

Mr. BAILEY.—A good many draft motions have been submitted to me. I suggest that we attempt to narrow down the issues somewhat. Perhaps we could deal first with the natives of other than full blood and then those of full blood. The full-blooded natives are not of much concern, really, in New South Wales and Victoria, or in South Australia, for they are so few in number; but the natives of less than full blood are of concern to all of us. If we could deal with the position of the natives of less than full blood we could perhaps then go back to the very important and serious position in the Northern Territory, outlined for us by Dr. Cook.

Professor CLELAND.—In the interests of uniformity, I should be glad if we could reach some decision which would not leave any suggestion that we

are careless about the ultimate fate of the full bloods. I would not like an idea to get abroad that there is any suggestion of a deliberate attempt on the part of the Conference to hurry up the detribalization of the full bloods. There are sentimental and scientific reasons why such a course would be very unwise. We would achieve exactly the same object in the ultimate if we dealt first with natives of less than full blood. I am sure that very vigorous objections would be taken by scientists to any attempt to hasten the detribalization of the full-blooded aborigines, for they are unique and one of the wonders of the world. Very general and strong opposition would be raised to any deliberate attempt to detribalize the full bloods.

Mr. CARRODUS.—I agree to some extent with what Professor Cleland has said. It would be desirable for us to deal first with the people of mixed blood. Ultimately, if history is repeated, the full bloods will become half-castes.

Mr. BAILEY.—I think there is a good deal in what Professor Cleland and Mr. Carrodus have said. Perhaps we could find some term that will make the distinction that we wish to observe, and yet define the broad principle that we have in mind.

Mr. NEVILLE.—If we can find a term that will apply to people of mixed blood I shall be satisfied.

*Resolved—*

That this Conference believes that the destiny of the natives of aboriginal origin, but not of the full blood, lies in their ultimate absorption by the people of the Commonwealth and it therefore recommends that all efforts be directed to that end.

Mr. BAILEY.—The next question to consider is how this state of affairs is to be brought about. Mr. Neville has suggested that the administration of the natives can best be carried out under the direction of the individual States concerned, but with adequate financial assistance from the Commonwealth.

Mr. CARRODUS.—I think that any request for financial assistance from the Commonwealth should be embodied in a separate motion. As for the suggestion that the Commonwealth might take over the activities of the States in regard to the protection of aborigines, it was decided at the last Premiers Conference that such action would be impracticable and undesirable.

Mr. NEVILLE.—So long as we are agreed on broad principles, the details of administration had best be left to the various States.

*Resolved—*

That the details of administration, in accordance with the general principles agreed upon, be left to the individual States, but there shall be uniformity of legislation as far as possible.

*Resolved—*

That, subject to the previous resolution, efforts of all State authorities should be directed towards the education of children of mixed aboriginal blood at white standards, and their subsequent employment under the same conditions as whites with a view to their taking their place in the white community on an equal footing with the whites.

Mr. HARKNESS.—Are half-castes, on an average, capable of being educated up to white standards? In our State, we have a special syllabus for such children which does not take them beyond the ordinary standard for a white child of nine years of age, but emphasis is laid on teaching them the mechanical arts. We assume that they have not the ability of the ordinary white child.

Dr. COOK.—In the Northern Territory, we have found that, given equal chances, the average half-caste is not inferior in mental ability to the average white child. It is true that the percentage of children of outstanding ability may be higher amongst the whites, but the half-caste has sufficient intelligence to give

him the right to demand equal opportunity. In the past, we also had a special syllabus which brought the half-castes up to the standard of white children of about twelve years of age, but experience has shown us that they are capable of going beyond that.

#### DEFINITION OF NATIVE.

Mr. CHAPMAN.—I think it is desirable that the Conference should agree upon a suggested definition of "natives".

Mr. NEVILLE.—In the West Australian Act, the position is set forth very clearly. One section states that—

There shall be a department under the Minister to be called the Department of Native Affairs, and to be charged with the duty of promoting the welfare of the natives, providing them with food, clothing, medicine, and medical attendance, when they would otherwise be destitute, providing for the education of native children and generally assisting in the preservation and well-being of the natives.

Another section defines "native" as follows—

"Native" means—

- (a) any person of full-blood descended from the original inhabitants of Australia;
- (b) subject to the exceptions stated in this definition any person of less than full-blood who is descended from the original inhabitants of Australia or from their full-blood descendants, excepting, however, any person who is—
  - (1) a quadroon under 21 years of age who neither associates with or lives substantially after the manner of the class of persons mentioned in paragraph (a) in this definition unless such quadroon is ordered by a magistrate to be classified as a native under this act;
  - (2) a quadroon over 21 years of age, unless that person is by order of a magistrate ordered to be classed as a native under this act, or requests that he be classed as a native under this act; and
  - (3) a person of less than quadroon blood who was born prior to the 31st day of December, 1936, unless such person expressly applies to be brought under this act and the Minister consents . . .

Mr. McLEAN.—Even after five or six generations, the progeny of the continued marriages of half-castes will still be half-castes.

Mr. NEVILLE.—Yes. But there is provision to exempt them from the act. All cases are judged on their merits. The provision covering such cases is as follows:—

The Minister may issue to any native who, in his opinion, ought not to be subject to this act, a certificate in writing under his hand that such native is exempt from the provisions of this act, and from and after the issue of such certificate such native shall be so exempt accordingly:

But any such certificate may be revoked at any time by the Minister, and thereupon this act shall apply to such native as if no such certificate had been issued.

Provided that any native who is aggrieved on account of the refusal by the Minister to grant such certificate or of the revocation by the Minister of his certificate under this section may appeal to a magistrate in the magisterial district in which he resides. The magistrate may make such order regarding the issue or revocation of the certificate as in his opinion the justice of the case requires, and such order shall be given effect by the Minister. Such appeal shall be in accordance with the regulations, which may prescribe the time for appealing and the procedure to be followed.

Mr. BLEAKLEY.—The Queensland law extends a similar privilege to half-castes, but not to full-blooded aborigines. Western Australia is also ahead of Queensland in that it makes provision for appeal against the Minister's decision.

Mr. NEVILLE.—In Western Australia, the Minister exercises the prerogative of the Crown and can act contrary to the opinion of the department. He has the power to withdraw the privilege, if it is abused, and has done so.

*Resolved—*

That the definition of "native" in any uniform legislation adopted by other States or the Commonwealth, be based on the definition contained in the *Native Administration Act*, 1905-1936 of the State of Western Australia.

# RETURN OF ABORIGINES TO HOME STATE.

Mr. CHAPMAN.—I think that discretionary power should exist for State authorities to return to his home State any aboriginal who is temporarily resident in another State. In Victoria, we have had unfortunate experiences of natives coming across the border from another State in order to avoid disciplinary action by that State, or what they might consider to be painful medical treatment imposed upon them. We have no power to return them to their home State, unless they happen to be vagrants.

Mr. BLEAKLEY.—In Queensland we have had similar trouble.

Mr. NEVILLE.—In Western Australia we do not differentiate between States, or between aborigines. We call them all natives of Australia. We have power to take any native from any one part of the State to any other part, or even to put him across the border. Frequently, natives come from other States into Western Australia, but we can always put them out of the State if we desire to do so.

Dr. COOK.—In the Territory we define "aboriginal" as an aboriginal native of Australia.

Mr. CHAPMAN.—Our difficulty is that natives who come from another State are not under our jurisdiction. The only time they can be forcibly returned to their place of origin is when they have committed a crime, and an order for their expulsion is issued by a magistrate.

Dr. MORRIS.—It is not intended to prevent bona fide migration of natives?

Mr. CHAPMAN.—No. All that is required is discretionary power to deal with undesirables.

Mr. NEVILLE.—It is a fundamental principle of the Constitution that there shall be free intercourse between the States. In Western Australia, we sometimes receive at the Kalgoorlie Hospital South Australian natives who are conveyed on the trans-Australian railway. They receive exactly the same treatment as do our own natives, but South Australia, of course, is saddled with the cost.

Mr. PRATT.—The position is met in New South Wales by the following provision in the law:—

8A. (1.) Where an aborigine or a person apparently having an admixture of aboriginal blood is, in the opinion of the board living in insanitary or undesirable conditions, a stipendiary or police magistrate may, on the application of the board, order such aborigine or person to remove to a reserve or place controlled by the board, or, if such aborigine or person is but temporarily resident in this State, to return to the State whence he came within a time specified in the order.

(2.) Any such order may on a like application be cancelled or varied by the same or another stipendiary or police magistrate.

(3.) Until such an order is cancelled every aborigine or other person named therein in that behalf shall be and remain under the control of the board while he is in this State.

Mr. CHAPMAN.—That meets the position, no doubt, in New South Wales, but a similar provision is needed in the legislation of the other States and in the Commonwealth law. During the centenary celebrations in Melbourne, solely in the interests of the aborigines at Lake Tyers, we refused to allow a concert party from that station to visit Melbourne. At the same time, a troupe of aboriginal minstrels from New South Wales, despite all our efforts to prevent them, came to the celebrations. Later, they were found engaged in a drunken melee in front of one of the city's leading hotels. The newspapers criticized the authorities for failure to control the aborigines, but we had no power over them, and had no means whereby we could have them sent back to New South Wales. Of course, if a native visitor is a decent fellow, we do not want to send him back.

## Resolved—

That provision be made to give discretionary power to return to his home State any aboriginal temporarily resident in another State.

# ADMINISTRATION.

Mr. NEVILLE.—I move—

That in the interests of the natives of Australia the principle contained in section 4 of the Native Administration Act of Western Australia be adopted.

Motion lapsed for want of a seconder, after several delegates had pointed out that each State already had similar legislation.

## SUPPLY OF LIQUOR AND DRUGS TO NATIVES.

Mr. CHAPMAN.—I move—

That it be an offence to supply intoxicating liquor or drugs to any native.

In some States methylated spirits is included in the definition of "liquor".

Mr. NEVILLE.—I second the motion. This matter is largely one of definition. Before the act of Western Australia was amended it was easy for a half-caste to obtain liquor, but an altered definition of "native" improved the situation considerably. Section 48 of the act reads—

(1) Any person who sells, supplies, or gives any fermented spirituous or other intoxicating liquor, in any quantity whatsoever, either alone or mixed with any other substance, or any opium, to any native shall be guilty of an offence and liable, on summary conviction, to a penalty not exceeding One hundred pounds or to any term of imprisonment not exceeding six months, or to both.

Until recently the control of the supply of liquor to natives was one of our greatest difficulties. There was always conflict between the Licensing Act and the Aborigines Act. Now, the only natives who can obtain liquor are those who have been definitely exempted by the Minister. The Western Australian legislation is operating successfully.

Dr. COOK.—In the Northern Territory Ordinance we go further than the Western Australian legislation. Section 23 (7) provides—

A licence shall not be issued to any person to employ aborigines on any premises in respect of which a publican's licence or a storekeeper's licence, granted under the law for the time being in force in the territory relating to the supply of intoxicating liquors, is in force.

In 1936 the ordinance was amended to enable a half-caste to drink in hotels, on the production of a certificate of exemption from the Chief Protector. A half-caste may now be exempted from the liquor provisions of the ordinance, although he remains under the ordinance for other purposes. The amendment was found desirable, because many half-castes of a superior type who had been provided with homes, for which they were paying, resented the imputation that they were a subject race, and not entitled to accompany their friends when taking refreshment. It was desirable to grant them this privilege without sacrificing the power to manage their estates until they became solvent. If they abuse the privilege, the exemption is withdrawn. For some time I opposed the amendment, but as the then existing ordinance tended to make them regard the Chief Protector as an enemy rather than as a friend, I agreed to it.

The drinking of methylated spirits is a problem in the Northern Territory. This spirit has been ruled to be not within the definition of "intoxicating liquor". A special ordinance was passed making it an offence for any person to supply methylated spirits to aborigines or to drink it. The provision applies to whites as well as to blacks.

Mr. BLEAKLEY.—The legislation of Western Australia contains similar provisions prohibiting the supply of liquor or poisons to aborigines. In respect of liquor, the penalty ranges from a minimum of £20 to a maximum of £50. The penalty in respect of opium is £100 or three months' imprisonment for the first offence, and six months' imprisonment, without the option of a fine, for a second offence. In respect of other poisons, such as morphia, cocaine, and chlorodyne, the penalty is £50. There is also provision to

deal with persons in possession of opium. The act contains a proviso that it shall be a defence if the person can show that the drugs have been issued on the prescription of a qualified medical officer. Provision is also made to deal with persons who introduce liquor on reserves, and to punish aborigines found in the possession of liquor. The act recognizes that there are many respectable half-castes, and, accordingly, provision is made for their exemption. Any half-caste who holds a certificate of exemption may obtain a drink. The onus is placed on the publican of ascertaining if such a customer is so exempt.

Mr. PETTITT.—The act of New South Wales has a short provision in section 9 which has proved effective in dealing with the supply of liquor to natives. It also contains a satisfactory definition of "liquor" which was amended last year to include methylated spirits.

Mr. MORRIS.—The Dangerous Drugs Act of New South Wales is most far-reaching in its effect, and meets the situation.

Mr. CHAPMAN.—The control of poisons in Victoria is most stringent.

Mr. PETTITT.—Although the New South Wales act defines an aboriginal as a full-blooded or half-caste black, the definition goes further and includes the words "any person having apparently an admixture of aboriginal blood". There have not been many instances in which objection has been taken to the provision preventing such people from obtaining drink. It may be desirable that the act of New South Wales should go further and provide that it shall be an offence for an aboriginal to be found in the possession of liquor.

Mr. NEVILLE.—One man who claimed that he was the offspring of two half-castes successfully contested a prosecution, and, consequently, the definition had to be altered.

In regard to poisons, difficulty arose because of the number of natives who used strychnine in large quantities in the destruction of vermin. On two occasions, strychnine purchased for poisoning vermin was thought to be flour, with the result that 30 or 40 natives died. There have been other instances in which deliberate poisoning has been suspected. It is now an offence to supply these people with poison. Section 67 of the act provides that any person who, without a permit from the protector, supplies any native with any poison or noxious substance shall be guilty of an offence. The supply of poison is always under the control of the protector. There is no definition of "noxious substance".

Mr. McLEAN.—The act of South Australia contains no provision for controlling the supply of liquor to aborigines; that matter is dealt with under the Licensing Act, which deals with the supply of liquor to any aboriginal native of Australia or any half-caste of that race.

Mr. CHAPMAN.—I ask leave to amend the motion to read—

That in any amendment of the law provision be made to restrict or control the supply of intoxicating liquors and poisons to natives, and that the definition of "liquor" include methylated spirits.

Dr. COOK.—The courts do not regard methylated spirits as a spirituous liquor.

*Resolved—*

That uniform legislation be adopted to provide that the supply of intoxicating liquors (including methylated spirits) to natives, as defined in the new definition, shall be an offence.

#### TRAFFIC IN OPIUM.

Dr. COOK.—There is a tendency to believe that legislation to control the traffic in opium actually controls it. That is not so in fact. In the Northern Territory the traffic in opium is one of the most

undesirable features associated with the degradation of the aborigines. There is a comparatively large Chinese population in the Territory, and for many years numbers of Chinese there have smoked opium. The retail price in Darwin is about £16 for a 5-oz. tin. Consequently, those engaged in the traffic have sought a market for the dross, or charcoal, which remains after the opium has been smoked. This dross is put up in packets similar to A.P.C. powders and sold to the aborigines. In order to purchase opium at the enhanced price the Chinese have had to find a market for the dross, and they are selling it to the aborigines. For this reason, we have endeavoured to prevent the employment of aborigines by the Chinese, but we have been advised that we cannot legally exclude a Chinese who is Australian-born from his rights unless we can establish that a definite offence has been committed. I suggested to the department that in order to control this traffic we should enter into it ourselves. We could import opium at about £1 an ounce from Malaya. Perhaps the confiscated opium would supply all needs. It could be issued to Chinese certified by a medical officer as addicts, and subsequent issues could be made to depend upon the return of the dross for destruction. The aborigines who are habitues could be placed in institutions for treatment for the cure of the habit. In this way, opium could be made available to Chinese addicts at a price which would make smuggling unattractive. This system would prevent an extension of the smoking habit. The Customs Department rejected my proposal. It was said, among other things, that as Australia was a signatory to the International Convention controlling opium it was quite impossible for the Government to take up the matter. My reply is that the Convention, which was designed ultimately to eliminate the use of opium for smoking, has failed to achieve that end after a 30 years' trial. We are entitled therefore to try some other method. If the price of opium could be reduced, and the dross controlled, the aborigines could undoubtedly be protected. The Customs Department has twice rejected my proposal.

Mr. BLEAKLEY.—Queensland is very interested in this subject. Dr. Cook's proposal, though it would be regarded as reactionary by many people, is well worthy of consideration. Undoubtedly the aborigines obtain the dross. In Queensland they will pay almost any price for it. They mix the ash in water for drinking. I do not know how this suggestion would be received in Queensland, but it is worthy of consideration.

Professor CLELAND.—Although the proposal seems, at first sight, to be radical, I shall support it, for its adoption would undoubtedly materially reduce the ill-effects on the native inhabitants of opium smoking. I can see no other system than that of licensing which is likely to have the desired effect.

Mr. BLEAKLEY.—An idea of the difficulties that we meet with in dealing with the opium traffic will be gained when I relate the following incidents: On two occasions parcels of opium thrown overboard from vessels that have come from China have been picked up on our northern reserves. One parcel contained £1,500 worth of opium, and the aboriginal who found it returned it through his superintendent to the Customs Department. He was given £5, which disgusted him and, incidentally, other people, as he might have been tempted to sell it for a much larger sum. On another occasion a parcel of £1,000 worth of opium was picked up on the coast near Cairns.

Mr. CARRODUS.—Our department is in sympathy with Dr. Cook's proposal, but we are helpless in the matter. The decision rests finally with the Customs Department. That department says that as Australia is bound by the International Convention on the subject it is impossible for the Commonwealth Government

to engage in the business. But, although our department is helpless, an expression of opinion from this Conference might be useful.

Mr. BAILEY.—While this subject is of great importance in regard to the aborigines, the proposal that Dr. Cook has made would have far-reaching effects. I doubt whether it would be wise for us to deal with it in the broad way that Dr. Cook has suggested, but the Conference might make a recommendation in regard to opium dross. I do not think that we could go so far as to suggest that opium should be admitted free.

Dr. COOK.—That is not quite what I suggested. My proposal is that some statutory authority, possibly the Comptroller-General of Customs, should be authorized to obtain supplies from the factory in Malaya. The opium should be handled by a government monopoly. Issues should be strictly controlled, and additional supplies should be granted only when the dross is returned. Any free importation of opium would defeat the whole scheme.

Mr. BAILEY.—But would not the adoption of your proposal encourage the smoking of opium? If the Chinese in the Northern Territory could get opium under a permit system would not the Chinese elsewhere in Australia want it, and would they not be likely to get it?

Mr. CARRODUS.—That is one of the objections raised by the Customs Department.

Dr. COOK.—The purpose of the prohibition under the International Convention was to prevent the smoking of opium by Chinese or any one else; but that purpose has not been achieved, and the whole scheme has definitely failed. In fact, it has given rise to abuses which have resulted in an extension of the evil and an increase of the number of opium smokers. I suggest that the traffic should be controlled under permit, and that issues should be made to confirmed opium addicts perhaps on a sliding scale. As there is more support for this proposal round the table than I expected it to receive, I move—

That this Conference is of the opinion that in order to control the smoking of opium dross by aborigines, the Commonwealth Government should give consideration to a scheme to provide confirmed opium smokers, certified to be such by an approved medical authority, with opium at a price which will render illicit importation uneconomic, on condition that the dross of the opium issued is returned for destruction before further issues are made.

Professor CLELAND.—I second the motion.

Mr. NEVILLE.—I do not want the evil associated with the dross to spread. We have had no trouble of this kind in our north-west.

Dr. COOK.—If Western Australia is not affected by the problem it will not be affected by the remedy.

Mr. McLEAN.—The motion refers to confirmed opium smokers. Are there not other opium smokers who may not fall within that category? Is it not likely that the dross which they have will be supplied to the aborigines?

Dr. COOK.—Under my scheme there would be no opium from which they could get dross. My experience in Malaya showed me that it is possible to estimate fairly accurately the quantity of opium required by a confirmed smoker. Such people could be issued with a little below their requirements. The dross that they returned could be analysed to make sure that no ash was mixed with it. If on analysis it was found to be less than should have been returned a further reduction could be made in the amount allowed to the person concerned.

Mr. McLEAN.—Would not the person who had not reached the stage of certification still be a potential purchaser of smuggled opium?

Dr. COOK.—I doubt it. In any case, things could not be worse than they are. There are about 50 or 60

persons in the Northern Territory who would come within the definition of certified. They are Chinese, of course.

Mr. BLEAKLEY.—Do you know of any other possible market for opium which might permit a profitable business to be continued?

Dr. COOK.—The aborigines would provide a possible market, but I have never known aborigines to buy opium. They get only the dross. The other Asiatics in the Northern Territory, apart from the Chinese, do not smoke opium. Our aborigines use an ingenious arrangement with a soda water bottle to smoke the dross.

Mr. BLEAKLEY.—Do not the aborigines mix the dross with water and drink it?

Dr. COOK.—They smoke the dross as I have explained. Any objection that may be raised to my proposal can be countered by the statement that at least it could not lead to worse conditions than those which prevail at present. If my scheme were tried, and it did not prove successful, it could be abandoned.

Mr. HARKNESS.—How does the opium affect the aborigines?

Dr. COOK.—It affects them in the same way as it affects the Chinese. Those who use it become indolent and lazy. They crave for opium and hang around Chinatown in the hope of getting it. They prostitute their women and are guilty of every vice in the calendar in order to obtain money to purchase dross. Finally, they may succumb to tuberculosis or similar maladies.

Dr. MORRIS.—I think it would be unwise for this Conference to pass a motion asking the Commonwealth Government practically to stultify itself in the eyes of the world. I sympathize entirely with Dr. Cook's views, but I do not think we should take the drastic step of urging the Government to do something that is not only wrong in the eyes of the world, but is also illegal for signatories to the International Convention. Perhaps we could get the same result by indirect means. We could say that addicts, regardless of colour, should be placed under medical control. They could be pensioned, perhaps, and placed in an institution.

Dr. COOK.—I think Dr. Morris has rather misunderstood my desire. What I wish is to control the consumption of opium on a scientific basis. It would not be practicable to place the 50 or 60 aborigines in the Northern Territory in an institution, for some of them are at Pine Creek, some on the Katherine, and some at Darwin. Some of these people are engaged in profitable businesses. It is wrong to say that the control of opium, as I have suggested, is against the view of all the people of the civilized world. In Malaya and Java the control of opium is a government monopoly. Very large numbers of people in the East smoke opium, and supplies are provided from government-owned and maintained factories. It is, therefore, not right to regard this traffic as universally illegal. I am suggesting departmental control under medical supervision, and, if necessary, I am prepared to amend the motion to make that point clear.

Mr. CHAPMAN.—We should consider whether it is within the scope of this Conference to express an opinion upon a matter that is essentially federal in its application. I have to ask myself whether it is my business, as a representative of Victoria, to tell the Commonwealth what it ought to do in the Northern Territory. I feel that the purpose of this Conference is to suggest procedure which is more or less applicable to all the States, or, at any rate, to two or three of them. This problem exists only in Darwin, so far as I know, and, as such, is a matter entirely for Commonwealth administration.

Dr. MORRIS.—After all, we are merely urging the Commonwealth to give consideration to the matter.

Dr. COOK.—The matter also affects Queensland and Western Australia. Importations of opium come mostly from the Malay States and Java. It is imported by persons who are opium addicts, and, if they have more than they want for their own use, they can export it to other States.

*Resolved—*

That this Conference is of the opinion that, in order to prevent the smoking of opium dross by aborigines, the Commonwealth should give consideration to a scheme to place all opium addicts in Northern Australia, of whatever nationality, under strict medical supervision, in order to control the supply of the drug, with a view to effecting the cure of the individual, the reduction of the number of addicts in the future, and especially for the purpose of preventing any trade in opium dross.

#### SOCIO-ECONOMIC SURVEY.

Professor CLELAND.—I move—

That this Conference supports the suggestion that a socio-economic investigation of the half-caste people be commenced in South Australia, under the direction of the Department of Economics of the University, with the co-operation of the Protector, and recommends that Commonwealth financial assistance for approved purposes, not to exceed £2,000 spread over a period of two years, be made available to enable this survey to be made. A report should be submitted to a later Conference with a view to the extension of the work to other States.

Such a survey would enable us to assess the capacity of the half-castes to take their place in the ordinary, economic life of the white community. If it was found that valuable results followed from the investigation in South Australia, it might be extended to other States. At any rate, the information obtained in South Australia would probably be found to be applicable to other parts of the Commonwealth also.

Mr. HARKNESS.—I believe that the more information that is collected in regard to this matter, the better. It cannot possibly do any harm, and it ought to do a great deal of good.

Dr. MORRIS.—Is it worth while spending such a lot of money? We already have a tremendous mass of information available; we know what ought to be done, but the difficulty is in getting it done. I fail to see what information that is not already in our possession can be obtained by an academic investigation.

Professor CLELAND.—A trained economist should be able to obtain information and arrive at conclusions which would be of value to us.

Mr. NEVILLE.—Experience has shown that royal commissions and similar investigating bodies do not, as a rule, obtain information that is not already in the possession of departmental heads, but their recommendations carry greater weight, and are usually acted upon, while those of departmental heads may be ignored.

Dr. MORRIS.—That may be so, but the recommendations of the authority which this motion envisages would not carry the same weight as those of a royal commission.

Mr. HARKNESS.—There is certainly a limit to the amount for which we can ask. Is it practicable to ask for £2,000 a year for this purpose, and then to come along to the Commonwealth and ask for further assistance?

Dr. MORRIS.—I consider that the money could be spent better in other directions.

Mr. BAILEY.—If money is obtained from the Commonwealth responsibility should rest on the States to spend it to the best advantage. I am not in favour of the motion.

Motion negatived.

#### INVALID AND OLD-AGE PENSIONS; MATERNITY ALLOWANCE.

Mr. BAILEY.—Another subject for the consideration of Conference is the desirability or otherwise of making a recommendation to the Government that the

maternity allowance should be payable, not to the mothers, but to the authorities which control aborigines and provide the necessary hospitals and medical attention for mothers.

Mr. CHAPMAN.—Before dealing with that particular aspect, it might be desirable to discuss in general terms the Commonwealth assistance given to State aboriginal authorities. I make this suggestion because a strong argument could be advanced in favour of a proposal that the States should accept responsibility for the maintenance, housing and clothing of aborigines, and the Commonwealth responsibility for their education. In my opinion, no useful service is performed by the payment of the maternity allowance on the present basis. It results in some persons being eligible for the allowance whilst their immediate neighbours are not. If the Commonwealth would grant a specific amount for assistance to State authorities, perhaps pensions and maternity allowance payments could be eliminated.

Mr. HARKNESS.—The question of the education of half-castes and of lighter-coloured natives should receive consideration. In New South Wales, in collaboration with the Education Department, we appoint to reserves teacher-managers, and endeavour to secure the services of a man whose wife is a trained nurse. Under this system, teaching is subordinated to managerial duties, with the result that the standard of education is not high—about equal to that of a child of ten years of age. The potentialities of half-castes, however, is much greater than that, and should rise with the progressive elimination of aboriginal blood. If it were decided to appoint a manager and a teacher as independent persons to each reserve the expenditure would be doubled, or increased by at least £10,000 a year. The money would have to come from the States or the Commonwealth. What I have in mind is a comprehensive scheme of finance in which the maternity allowance is only a minor matter. If the mother receives medical attention and baby clothes, and also gets child endowment which might amount to 30s. or £2 a week, that is all she should expect.

Mr. CARRODUS.—The Commissioner of Pensions is forced to abide by the pensions law. Unless it were amended he could not pay to State authorities either a pension or the maternity allowance which, at present, is payable direct to the person concerned. I think it is doubtful whether the Commonwealth would agree to a proposal which would render natives eligible for pensions or maternity allowances.

Mr. BAILEY.—The motion suggested by Mr. Chapman reads—

That all natives of less than full-blood be eligible to receive invalid and old-age pensions on the recommendation of State authorities, to whom the amount should be paid in trust for the individual.

That would necessitate an amendment of the law. The same objection applies to the suggested alteration of the method of paying the maternity allowance. It would, I think, be advisable for the Conference to hear the views of the Commissioner for Pensions on this matter.

Mr. McLEAN.—The maternity allowance is payable only to persons in whom black blood does not predominate. In our opinion this restriction results in injustices in some settlements where mothers with, say, five-eighths aboriginal blood, are denied the allowance, whilst those one-eighth whiter receive it although both are living under similar conditions. It was suggested to the Commonwealth Government that, in cases where it was certified by the State authorities that the claimants were capable of making proper use of the money, the allowance should be paid irrespective of the ratio of white to aboriginal blood. The reply of the Commonwealth Government was that full consideration had been given to the representations but that the Government regretted that it was unable to see its way to take steps to amend the relevant

acts in the direction suggested. It is a question now of whether a further request from the Conference might not induce the Commonwealth to reconsider this matter.

Mr. BLEAKLEY.—We have the same difficulty in Queensland, but to a certain extent we are able to supervise the spending of the maternity allowance by the recipients, since the superintendents of the settlements handle all correspondence to and from the inmates. In most instances we have no difficulty in inducing the mothers to allow the authorities to place the money in the savings bank, and also to pay to the authorities a fair proportion of the allowance to cover the cost of medical and hospital treatment received during their confinement. It often happens, though, that a woman in outside districts escapes supervision and squanders the money. It would be of advantage if some provision could be made whereby the administration responsible for the welfare of the half-castes could be recognized by the Commissioner for Pensions as the channel through which the allowance should be paid to the recipients.

Mr. BAILEY.—Mr. A. Metford, Commissioner of Pensions, is in attendance, at the request of the Conference. We shall be glad to hear from him in regard to pensions to aborigines and half-castes, particularly in respect of payments to mothers whose medical and hospital expenses are met by the State.

Mr. METFORD.—An aboriginal woman, or a woman in whom there is a preponderance of aboriginal blood, may not receive the maternity allowance. There is nothing in the act to debar a half-caste mother from receiving the allowance, and it is paid to all such. The act does not define an aboriginal or a half-caste. The law provides that the allowance shall be paid to the mother of the child. There is no provision for it to be paid to any one else. The act would have to be amended to enable payment to be made to any one besides the mother.

Mr. BLEAKLEY.—Asiatic half-castes are excluded from the allowance, I understand.

Mr. METFORD.—Only if there is in them a preponderance of Asiatic or aboriginal blood.

Professor CLELAND.—If a Protector is *in loco parentis*, do not all business transactions take place through him?

Mr. METFORD.—The department seeks the advice of the Protector in all cases of doubt, or in which such advice is considered desirable, and generally it acts on his recommendation. The money is paid to the mother by means of a money order. The department has no control over its spending. Even in the case of a mother who is an unmarried minor, payment is made to the mother. The position is the same in cases in which the Protector is the trustee of the half-caste. The mother receives the payment. There is no provision for her to sign an authority for it to be paid to the Protector.

Mr. NEVILLE.—In many cases the money is squandered, and in others the existence of an allowance places a premium on the procreation of children. Some of the questions which have to be answered are difficult to answer as, for instance, those which ask whether the claimant is deemed to be an aboriginal; or a person in whom there is a preponderance of aboriginal blood; or whether she resides, or has resided, in a native reserve during certain periods. In answering them, we have to rely on reports from local police-men, and as they frequently remove from place to place, conflicting reports are inevitable. These cause difficulties with the Federal Department. That difficulty does not apply to applicants living in settlements, and, accordingly, we encourage prospective mothers to attend hospitals at the time of birth. Anomalies frequently arise, such as one woman living in a camp being granted an allowance and another woman in the same

camp having it refused. If it could be arranged that payment be made to the Protector, as trustee, there would be some guarantee that the right person received the money and that it was properly spent. Under existing conditions, that is impossible.

Mr. METFORD.—The request is reasonable, and I shall place it before the Minister.

Mr. BAILEY.—What is the position in regard to a woman confined in a public hospital?

Mr. METFORD.—The money is paid to her at any address she elects to give. If, subsequently, she pays some of it to the hospital, she may do so. Until recently, a woman could authorize another person to collect the money on her behalf, but because this provision was abused, that cannot now be done. Payment is made only to the mother.

Professor CLELAND.—To whom would the money be paid in respect of a mother who is certified as insane and whose property is in the custody of the Public Trustee?

Mr. METFORD.—If, after waiting a reasonable time for her to recover, there is no improvement, the money is paid to the Master in Lunacy. It would appear reasonable to do the same in the case of aborigines, but I understand that the Master in Lunacy has greater powers than are vested in any Protector of Aborigines. I shall place that point also before the Minister. An amendment of the act would be necessary to enable payment to be made to the Protector.

Mr. McLEAN.—Would you favour the maternity allowance being paid to any mother, irrespective of the degree of aboriginal blood, if certified by the local protector as a person who will put it to proper use?

Mr. METFORD.—No. It is not the policy of the Government to extend the privileges under the act.

Mr. BLEAKLEY.—Many aboriginal women are more entitled to the allowance than are some of the half-caste women who receive it. It may happen that two sisters with the same mother but different fathers apply for the allowance, but because of the provision of the act only one receives it. Such differentiation is not understood by the natives, and causes resentment.

Mr. METFORD.—The law in regard to invalid and old-age pensions is similar to that governing the maternity allowance, in that no aboriginal native, nor any person in whom there is a preponderance of aboriginal blood, may receive a pension. Half-castes, however, are entitled to it. It is significant that the Royal Commission on Pensions in 1906 specifically recommended that aborigines be debarred from pensions. Although the act of 1908 has been amended nineteen times, no alteration of that provision has been made.

Half-castes living on reserves are not granted pensions, because they are regarded as already having received benefits provided by the States for aborigines, as such. They cannot get benefits from the Commonwealth which are denied to aborigines.

Mr. NEVILLE.—I shall give a few instances in respect of which I should like Mr. Metford's opinion. The first relates to an old-age pensioner who claims that he is a half-caste, but is probably an exempt aboriginal. Another concerns a man who resides in the camp, and lives as a native. He draws a pension. A third case is that of an old woman who is the mother of a large family, all of whom are natives in law. Her pension money is expended in liquor by members of the family. A fourth relates to the widow of a soldier—a white man. She is almost an aboriginal, but although she lived among natives in the camp she received a pension of £2 2s. a fortnight. At my request, the military authorities paid her pension to me, as her trustee. If that can be done in respect of a military pension it should be possible in other pensions.

Mr. METFORD.—The cases mentioned by Mr. Neville are unknown to the department. It is difficult to trace persons who leave the reserves. If Mr. Neville will supply particulars of the cases he has mentioned, they will be inquired into.

Professor CLELAND.—The act surely intended that the word "aboriginal" should apply only to persons living in *fera naturae* to whom it would be ridiculous to pay the money. The term "aboriginal" should be applied only to pure-blooded aborigines, and any one with an admixture of white blood should be eligible for a pension.

Mr. METFORD.—I have no reason to believe that the word "aboriginal" implies more than its generally accepted meaning.

Mr. BAILEY.—Should not a person in whom there is not a preponderance of aboriginal blood be entitled to a pension, whether within or outside a settlement?

Mr. METFORD.—If living in a settlement he is debarred from receiving a pension.

Mr. McLEAN.—It is difficult to understand the differentiation between a half-caste living on a station and receiving relief from a State, and a white person who also receives assistance from another State department.

Mr. PETTITT.—There are numerous instances of persons who have left reserves and are living elsewhere under shocking conditions, in order to obtain pensions which were denied to them when living under decent conditions on the reserves.

Mr. CHAPMAN.—I take it that the position is that the Commonwealth regards a half-caste who lives in a settlement as one who has accepted the status of aboriginal.

Mr. METFORD.—That is so.

Mr. CHAPMAN.—In regard to pensioners living in institutions, I understand that the pension is divided between the institution and the individual.

Mr. METFORD.—That is so. Of a total pension of 10s. a week, 5s. 6d. is paid to the individual, and 12s. 6d. to the institution for his upkeep.

Mr. CHAPMAN.—The point is that a half-caste living in a settlement is as much entitled to a pension as is a white man living in an institution practically at the expense of a State.

Mr. METFORD.—Persons living in aboriginal reserves and being treated as aborigines by the State, cannot get benefits which the Commonwealth law denies to aborigines. This question has arisen from time to time, but the Commonwealth Government has not seen fit to change its policy.

#### Resolved—

That all natives of less than full blood be eligible to receive invalid and old-age pensions and maternity allowance on the recommendation of the State authority to whom the grant should be made in trust for the individual.

#### COAST PATROLS.

Mr. NEVILLE.—Action taken by the Commonwealth Government in the last few days has clarified the situation regarding the necessity for the patrol of the north Australian coast, but I am not yet clear as to whether its decision to patrol the northern waters means that the long coastline of Western Australia will be patrolled. A study of the map will show the large number of native reserves which have to be protected in our State. The Commonwealth Government, I understand, has warned foreigners away from aboriginal reserves in the Northern Territory, but unless similar action is taken with respect to the northern coast of Western Australia a most serious situation may occur when foreigners go there. They have been there before, and they may go there again. Some aboriginal reserves in Western Australia have important settlements upon them, and at present there are no adequate means for their protection. The necessity for

an efficient patrol of the coast has been before the Western Australian authorities for a long time. Many years ago, the State tried to induce the Commonwealth to enter into a joint arrangement whereby a patrol lugger manned by a native crew and commanded by a white man, preferably a protector of aborigines, would be provided. The Commonwealth did nothing, and also failed to take action when the subject was revived a decade later. The Commonwealth, however, is now doing alone what it was asked to do in co-operation with the States, at least in respect of its own territorial waters. The vast numbers of aborigines in the northern parts of Western Australia render it imperative that the Commonwealth patrol should not be limited to the Northern Territory. It is true that, because of its ruggedness, the greater part of the northern coastline is impenetrable; but where the reserves are situated there is access to the land from the sea, so there is real danger that these areas will be penetrated by foreigners unless steps are taken to prevent their entry. The natives themselves are quite capable of putting up a stiff resistance against strangers who invade their domains. This has been displayed on numerous occasions. Since our stations have been in existence, however, there has not been much trouble. We are concerned now about the coastline. Some years ago, a white man settled near the coast on one of the reserves, and it took us nearly two years to eject him. If foreigners are able to settle on the reserves they will create havoc among the natives. Steps to prevent them from doing so are beyond the powers of police patrols, because sometimes it takes four or five months for a police patrol to reach a settlement, whereas an efficient patrol boat would soon be on the scene. I assume that the Commonwealth has jurisdiction over the three-mile limit all along the coast.

Mr. CARRODUS.—The Commonwealth acts under its customs authority.

Mr. NEVILLE.—I take it, then, that the patrol vessel will be available to patrol the Western Australian coast? If that is not so, there is reason to fear a tremendous upheaval between the blacks and foreign visitors in the near future. That disturbance could take place, and it would be weeks before news of it reached civilization. Lately, the installation of pedal wireless sets has removed much of the likelihood of trouble in the interior, but I contend that the Commonwealth should assist Western Australia by extending its patrol boat service beyond the regions of the Northern Territory.

Mr. BAILEY.—Mr. Paterson referred at the dinner the other day to the subject of the coast patrol. Evidently the Federal Government realizes responsibility in connexion with this matter, so that probably the situation will be met if we pass a short motion requesting that the patrol be extended to the coasts of the north-west of Western Australia and of northern Queensland.

Mr. CARRODUS.—The boat that is being obtained is to cost £27,000. We would have been satisfied with a smaller boat to cost about £18,000. The decision was affected by representations from Queensland to the effect that the Queensland coast needed patrolling. The Minister for Trade and Customs made an inquiry, and it was decided to purchase a boat at a cost of £27,000, which will patrol, not only the coast of the Northern Territory, but also parts of the coast of Queensland and the north-west of Western Australia. The boat will be ready in about nine months' time. How far down the coast on either side of the Northern Territory the boat will go, I do not know. We consider that we have enough work to keep it fully occupied, but experience will show whether one boat can meet the needs of the situation.

Mr. NEVILLE.—I am satisfied with what Mr. Carrodus has said. I have no authority to speak for Western Australia on this subject, except from the native point of view, but my Minister asked me to introduce the subject at the Conference, because he desired to know if parts of the Western Australian coast were to be included in any patrol service. I am quite prepared to leave it at that.

Mr. BLEAKLEY.—We in Queensland are equally interested, and I had a motion on the subject to submit to the Conference. Protection is needed on the Queensland coast, just as much as on the Western Australian coast. We have one patrol vessel, but she is slow, and her usefulness is limited. Quite recently we had news of a sampan in an inlet to one of the reserves, and the patrol boat went after her, but the speed of the patrol boat was only seven knots, while that of the sampan was much greater. However, the sampan was ultimately chased away. To that extent, the patrol is worth while.

#### LEPERS.

Mr. NEVILLE.—This item was included in the list of items from Western Australia, with the idea that we might seek some financial assistance, but I do not wish to say anything more about it at this stage.

Mr. BLEAKLEY.—Queensland also had a motion on this subject. It is very hard on natives if they have to be shifted from their own district to a distant leprosarium.

#### NATIVES ON TRANS-AUSTRALIAN LINE.

Mr. NEVILLE.—This subject concerns both South Australia and Western Australia. The presence of natives along the trans-Australian line has been a source of great trouble for many years to Western Australia, but the difficulty has been solved in one respect at least. I suppose this, also, would come under the heading of those items in respect of which Commonwealth assistance is desired. The Commonwealth Government has assisted us as far as possible by making rules governing the train crews and workers along the line, but, unfortunately, there is no control of the passengers on the trains. Continually, passengers write to the press on this subject, and adverse comments are published in the English newspapers about the miserable conditions of the natives. I absolutely deny that the natives along the Western Australian section of the line are living under miserable conditions. They did do so, but that is not their condition to-day. We have stationed two white married couples among these blacks, and they are now completely under control. They are prevented from begging at the trains, and are properly fed and dressed, at considerable cost. We really have to maintain about 100 natives in idleness to keep them away from the trains. When we were coming across the other day, I was shown some well dressed and well cared for natives quite a distance from the train, but when we crossed the border, the conditions were quite different. I do not want to criticize the South Australian control in any way, and in a sense, the natives cannot be blamed for coming to the train. I merely want to place the facts before the Conference. When these natives approach the train, they are received with extraordinary sympathy by the passengers, who give them money, fruit, cake and many other things, and in every way possible encourage them. At Immarna about 100 very dirty natives of all sorts and conditions, dressed in filthy rags, crowded to the train. I have never seen such a collection. I should have been ashamed to have had anything to do with them. The train stopped at that station for nearly twenty minutes and these natives swarmed round it like flies. One extraordinary feature of this business is that although, ten years ago, there was hardly a child to be

seen among the natives along the line, there must have been from 30 to 40 children from ten years of age and downwards in that company. Knowing the natives as I do, I am quite satisfied that those children were bred for the purpose of begging. The mothers carried them along the train on their backs, and the little children held out their hands to the passengers who gave them shillings, sixpences and other coins. Their pathetic appeal could not be resisted by the passengers. It seems to me that only two things can be done to remedy this state of affairs. They must be taken away from the line altogether, which would involve the expenditure of considerably more money than Western Australia or South Australia can spare for the purpose, or the passengers must, in some way, be prevented from making gifts to them. It is not charity to these people to give them money. It is actually pauperizing them. On our end of the line they are already properly fed and clothed, and they do not really want for anything. As things are, it is difficult to keep them from contact with the passengers. I understand that the natives are allowed to travel without charge on what is known as the "tea and sugar train", which, once a week, carries rations between Kalgoorlie and Port Augusta. The natives get on this train and get off at some station a distance from their own locality and beg from the people on the passenger train when it arrives there. They really move from place to place, and it is very difficult to do anything with them. I suppose it would cost £3,000 or £4,000 in capital expenditure to provide adequate quarters for them away from the line, and it would probably cost £1,000 a year to maintain them. This must be done, or the Commonwealth Government must request passengers to cease making gifts to them. Unfortunately, a feature of the advertising in connexion with the trans-Australian trip is that aborigines may be seen along the route. These aborigines, however, bring only discredit to the Commonwealth. Another element that adds to the difficulty of the situation should be mentioned. There is a native walk between the south coast and gold-fields which is used by 300 or 400 people, who, from time to time, come down from the interior to enjoy the sympathy of train passengers. We have checked this to some extent, but we cannot altogether stop it. Mr. McLean's problem is very much the same as ours, but is probably accentuated by certain missionaries who encourage the people to come to the railway line. Unless we can get financial help to correct this state of affairs, it is likely to continue.

Mr. HARKNESS.—Could not the railway authorities be told to declare the railway stations out of bounds?

Mr. McLEAN.—The facts are as Mr. Neville has stated. This has been a burning issue between the Commonwealth railway authorities and our Government for some time. We issue rations at only one point along the line, and that about four miles from the railway, where there is water, our object being to keep the natives back from the stations. We issue them with clothes so that they may appear more or less respectable, but we find that they hang the clothes on a tree, and present themselves in their rags before the passengers so as to excite sympathy. The only solution I can see is to have permanent police officers on duty to turn the natives back from the railway.

#### REPRESENTATION AT FUTURE CONFERENCES.

Mr. CARRODUS.—It is desirable that this Conference should express an opinion on the question of representation at future conferences of bodies interested in aboriginal work. My department has been approached by various bodies asking for representation at this Conference. As we all know, there are various

bodies throughout the Commonwealth which interest themselves in the aborigines. Probably, when it is proposed to hold another conference of this kind, similar requests for representation will be made, and we must decide whether to accede to them or not. For instance, are we to admit representatives of the missions and of anthropological societies, &c.? My opinion is that future conferences should be conducted in the same way as this one; that they should be attended by the representatives of the various Governments, men who are paid to do this work, and who are familiar with it. If we extended the scope of representation we should have all sorts of warring factions present at the conference. Some anthropologists may be in violent opposition to the missionaries, and it would be impossible to achieve any unanimity. If these societies and bodies wish to put forward recommendations they can be submitted to these conferences which will prove to be a fine sifting ground. My department, and, I am sure, those of all State Governments, will at all times be pleased to receive these suggestions, and submit them to future conferences for consideration, but it is important that the findings of the Conference should be those of Government representatives, so that they will be authoritative.

Mr. BLEAKLEY.—I agree with what Mr. Carrodus has said. If we extended the scope of representation, the Conference would be swamped with arm-chair experts who would take control of proceedings out of the hands of the representatives of responsible departments.

Mr. NEVILLE.—There ought to be a permanent secretariat to whom these outside authorities could submit recommendations and suggestions.

Mr. CARRODUS.—We are prepared to take on that work. As soon as the communications are received they will be circulated to all the State authorities, and subsequently the proceedings of the Conference will be printed and circulated to those bodies which have submitted recommendations.

#### *Resolved—*

That future Conferences should consist of representatives of Protectors and Governmental Boards.

### **ECONOMIC DEVELOPMENT OF ABORIGINAL RESERVES.**

Mr. CARRODUS.—It is the policy of the Commonwealth Government that there shall be no economic development of aboriginal reserves, but we recognize that there are difficulties in the way of enforcing such a policy. If a prospector discovers a valuable gold mine in a reserve, the force of public opinion would possibly compel the Government to allow the mine to be exploited. That is why we try to prevent prospectors going into such areas. I should like to hear an expression of opinion from other representatives as to whether, in their opinion, that is a right policy to pursue. At the present time, all kinds of people are seeking permission to go into the reserves, and what are we to do? Very strong influence is being brought to bear just now to allow a party to go through the southern part of our reserves into Western Australia on a prospecting expedition. It would help us if we were to obtain an expression of opinion from this Conference as to what should be the policy regarding economic development of aboriginal reserves.

Mr. BLEAKLEY.—We experience the same difficulties from prospectors and others desiring to enter the reserves. We have legislation stating that, notwithstanding anything in the Mining Act, no one may enter an aboriginal reserve without the authority of the Protector. Nevertheless, from time to time, pressure is brought to bear upon the Minister to waive the rule. In practice, we find that a great many applications for entry are not genuine. They come from

persons who pose as prospectors merely for the purpose of getting into touch with aboriginal women.

Mr. NEVILLE.—We have in Western Australia 24,000,000 acres set aside as reserves for aborigines. Of that area 14,000,000 acres are on the borders of South Australia and Western Australia. As a general rule, we forbid any trespass on reserves, and prosecute those who violate the law. That, however, is not going to help us much if a native picks up a piece of gold, and brings it into civilization. Our eastern reserve has already been penetrated by a number of expeditions in search of gold during recent years. We make those organizing such expeditions enter into a bond of £100 to abstain from doing certain things, and we require them to report to us when they come out. That is all very well so far as it goes, and up to the present there have been few abuses. However, it is impossible to police such an enormous area lying as it does just back of our gold-fields, and there is a constant trickle of prospectors from the gold-fields out into the Never Never. There are also prospectors coming into the area from the other side, and, in some instances, tragedies have occurred. It is now proposed to put into effect a policy under which, if gold or other minerals are discovered, they shall be exploited partly for the benefit of the natives, to whom we consider they belong. We know that if a rich gold strike were made in an aboriginal reserve, it would be utterly futile to try to prevent a rush. No law could keep men out once gold was found. Therefore, we say, would it not be better when gold is found in such an area to allow it to be worked on condition that every ounce won shall be subject to a royalty for the benefit of the natives? That is the policy we propose to pursue in future. The gold-field would be proclaimed, and excised from the aboriginal reserve on conditions. I do not think that any attempt absolutely to prevent the economic development of aboriginal reserves would be successful, and it would merely retard the development of the State. If, by any chance, Lasseter's Reef were discovered it would be a wonderful thing for the State, and we should not attempt to prevent its exploitation. There would still be plenty of land left for the aborigines.

Dr. COOK.—While I am in general accord with the view of Mr. Neville, I do not think that private prospecting should be allowed in the central reserve. All prospecting should be done by official parties.

Professor CLELAND.—There seems to be very little hope of payable gold being found in this area, in any case, so that no good purpose could be served by allowing private prospectors to enter it. So far as the natives are concerned, only harm could result, because they would eventually be debilitated.

Mr. CARRODUS.—The Commonwealth Government is influenced by the fact that there is in the Northern Territory such a huge area that has not yet been prospected, that it is undesirable to allow prospectors to enter the aboriginal reserve until the rest of the territory has been combed.

Dr. MORRIS.—This is purely a matter of policy, and I do not think that the conference is called upon to record a resolution in respect of it.

Mr. BAILEY.—The Commonwealth has taken a stand so far as its own reserves are concerned. As for the States, I do not think that we, at this Conference, are called upon to take any action.

*Sitting suspended from 4.30 p.m. to 7.30 p.m.*

### **GOVERNMENT SUBSIDIES TO MISSIONS.**

*In camera:*

*Resolved—*

That no subsidy be granted to any mission unless the mission body agrees to comply with any instruction of the authority controlling aboriginal affairs in respect of—

- (a) the standard of education of natives on the mission;
- (b) the measures to be taken for the treatment of sickness and the control of communicable diseases;

- (c) the diet of natives fully maintained on the mission;
  - (d) the measures to be taken to regulate the hygienic housing of natives; and
  - (e) the maintenance of the mission in a sanitary condition,
- and that the mission be subject to regular inspection by an officer of the authority.

#### CONTROL OF MISSION ACTIVITIES BY GOVERNMENT.

##### *Resolved—*

That governmental oversight of mission natives is desirable. To that end suitable regulations should be imposed covering such matters as inspection, housing, hygiene, feeding, medical attention and hospitalization, and education and training of inmates, with which missions should be compelled to conform.

*Conference adjourned at 9.45 p.m.*

FRIDAY, 23 APRIL, 1937.

The Conference resumed at 9.30 a.m.; the Honorable H. S. Bailey in the chair.

#### COMPELLABILITY OF ABORIGINAL FEMALE WITNESSES.

Mr. CARRODUS.—The Commonwealth Government seeks from the Conference a definition of the wife of a native. This definition is required in order that an ordinance, passed by the Commonwealth for the purposes of extending to the wives of aborigines the same protection in law as is given to the wives of white men with regard to their non-compellability to give evidence against their husbands in court actions, shall have the desired effect. The Western Australian Government has inserted in its law on this subject a provision that the wife of the native shall not be a compellable witness, but in the Northern Territory we have had difficulty in defining exactly the term "wife" in relation to aborigines.

Mr. HARKNESS.—Do you mean "legal wife"?

Mr. CARRODUS.—Just "wife". It is desirable to have an approved definition because marriage customs vary according to tribal laws.

Mr. BAILEY.—There is no difference of opinion as to the desirability of the wives of aborigines not being compelled to give evidence against their husbands. All that is necessary is that there shall be satisfactory evidence that a woman is the wife of an aboriginal who may be charged with an offence.

Professor CLELAND.—Would the evidence of a native woman, who was compelled to give evidence against her husband, be of any real value in a court of justice?

Mr. CARRODUS.—In several cases in the Northern Territory the only material evidence available against an aboriginal has been that of the lubra with whom he was living at that time, and they have been decided upon that evidence. The Supreme Court of the Territory has always adopted the practice of taking her evidence. It does not regard a lubra living with an aboriginal as being his wife.

Mr. BAILEY.—It is for the court to decide whether a woman is the wife of an accused person.

Mr. NEVILLE.—In Western Australia we have not called upon alleged wives of aboriginal prisoners to give evidence against them. We do not think it is fair to do so, because a lubra may be intimidated, merely by a glance from the prisoner, and we have come to the conclusion that such evidence as she may give is virtually useless. The law establishing the court which deals with crimes between natives contains a provision covering the point raised by Mr. Carrodus. In my State we regard the tribal wife of a native as being legally married to him. Even in the settlement of the estates of deceased aborigines the woman living with the deceased prior to his death

is regarded as being legally married to him, and entitled to his estate. To decide who is or is not a native's wife is difficult. Often coloured men are found to be living with women with whom, in the strictly legal sense, they should not be living. In some tribes custom allows their members to have four or five wives. Our experience is that fear of punishment would prevent a woman from giving evidence against the man with whom she was living, whether or not she came within the legal definition of the term "wife".

Dr. COOK.—As Protector of Aborigines in the Northern Territory I consider that a native woman, in the matter of compellability to give evidence, should be accorded the same protection as is accorded to a white woman. She should not be forced to give evidence against her husband whether or not she is legally married to him. If a lubra were compelled to give evidence in such circumstances she would incur her husband's displeasure and their family life might be shattered. She might even be brutally assaulted, or killed. I suggest that the Conference pass a resolution defining the term "wife" as being a woman who, at the time of the alleged commission of the offence for which a prisoner is charged, is living with him, and can be regarded as being likely to continue to live with him subsequent to the decision of the court. If it appears that the normal association between the two individuals is likely to continue, the woman should be protected.

Mr. BLEAKLEY.—In Queensland the tribal wife of an aboriginal receives the same protection as is accorded to the wife of a white man.

Mr. CARRODUS.—But that covers only tribal wives. Many natives have wives who are not tribal wives.

Mr. BLEAKLEY.—Yes; I agree that a wider definition is needed.

Mr. NEVILLE.—Under some tribal laws even the unborn child of a woman is the tribal wife of a man sixty years of age. The infant child of another woman may also be his wife. I suggest a motion on these lines—

That any woman who stands in relation to a prisoner as his wife may not be a compellable witness.

Professor CLELAND.—Dr. Cook wants a more comprehensive definition than that.

Dr. COOK.—There may be a whole group standing in relation as the wife of an aboriginal; we desire to protect those living with him as wives.

Mr. BAILEY.—We all agree that a woman living with an aboriginal as his wife or his reputed wife should not be a compellable witness. I like Dr. Cook's broad definition.

##### *Resolved—*

That in the opinion of this Conference any native woman who, at the time of the commission of the alleged offence, was living as the consort of the defendant and who may reasonably be expected to continue in that association during and subsequent to the legal proceedings, should have the protection of law accorded to a legal wife.

#### SPECIAL COURT FOR NATIVE OFFENCES.

Mr. CARRODUS.—Representations are frequently made to the Commonwealth Government that natives should not be tried in a white man's court, but in a special court for native cases only. That is all right when the case is one between natives. In Papua and New Guinea, native courts deal with offences as between native and native. The departmental opinion is that in cases in which white men are concerned, the trial should be in a white man's court, but that cases between natives be heard before a special court. So far, the Commonwealth has not established special courts for offences between natives in the Northern Territory.

Mr. BLEAKLEY.—Two years ago, the Queensland Government decided against the establishment of a special court for natives. It, however, agreed that in cases in which natives were charged with offences—whether between natives or against whites—no aboriginal person shall be allowed to plead guilty unless, before such plea is made, the Chief Protector certifies that the charge is understood by the accused, that he understands his rights of trial, and that the Chief Protector himself believes that a plea of guilty is reasonable in the circumstances. In nearly every instance the court has decided not to allow a native to plead guilty. Provision is also made for the proper legal defence of native prisoners and for a Protector to address the court on behalf of the prisoner. In Queensland we have provision for a native court, elected by the inmates, to deal with minor offences between natives on a reserve. Serious offences, too involved for a native court, are heard before a Protector or a visiting justice.

Mr. NEVILLE.—A special court for natives should deal only with offences between natives. Where white men are concerned, the trial should be in the ordinary courts of the State. Where a native is charged with an offence against a white person, the act of Western Australia provides that he may be represented by counsel, and have the protection of the Chief Protector. In my opinion, not only tribal offences, but all offences between natives, including charges of murder, should be heard before a native court, such court to consist of a special magistrate appointed by the Crown and a nominee of the Chief Protector. It should be given practically a free hand. Difficulty was experienced in obtaining convictions by juries of white men charged with assaulting natives. Invariably, the white man was acquitted, and consequently juries have been abolished in such cases. In Western Australia, all such cases are now heard by a magistrate; they are not dealt with by Justices. Tribal practice is accepted as evidence in a native court.

Mr. BLEAKLEY.—I agree that offences between natives and whites should be heard in the ordinary courts of the land, so long as proper defence is provided for the native.

Mr. McLEAN.—We must provide for cases in which the Protector is a police officer and may also be the prosecutor.

Mr. NEVILLE.—In such cases a special protector should be appointed.

#### *Resolved—*

That the jurisdiction of the Court for Native Affairs shall be confined to cases in which both parties are natives.

That mixed cases—those in which a native is involved against a white man or a man of other race—be dealt with by the ordinary courts of the State or territory.

That natives be not allowed to plead guilty in any case, except with the approval of the Chief Protector.

That a native charged before a white man's court shall have adequate representation by counsel or a protector, or both.

That no confession or statement before trial shall be sought or obtained, or, if obtained, it shall be disregarded by the court. (See section 60(1.) of the *Native Administration Act, 1905-1936* of Western Australia.)

That for the purpose of this resolution a native shall be a native as defined by this conference.

#### CHAINING OF ABORIGINES.

Mr. CARRODUS.—Previously, it was the custom in the Northern Territory to chain prisoners by the neck when being brought for trial, but a change of Government substituted handcuffs for chains. The police objected, on the ground that chains around the neck allow prisoners much greater freedom of movement and cause less discomfort than handcuffs. Recently, the Minister for the Interior (Mr. Paterson) witnessed a demonstration of the two methods, and was convinced that the chaining of prisoners around the neck is a much more humane practice than handcuffing. As the

Commonwealth has been severely criticized for chaining natives, I should like to hear the opinion of delegates.

Mr. BLEAKLEY.—We have been criticized on this score also in Queensland. We have left the matter to the discretion of the Police Department. The safety of the escort depends upon the security of the means of restraint placed upon his prisoners. When natives have to travel long distances the rule is, wherever possible, to provide means of transport to obviate walking.

Professor CHILLAND.—I think the Conference could safely go so far as to say that when the use of chains is necessary the neck chain is preferable to the handcuff for humane reasons, but all instances of the use of chains should be reported.

Mr. CARRODUS.—That would be done in the general way. The use of chains is confined to the remote areas from which prisoners have to be brought.

Mr. CHAPMAN.—Is the chain used on witnesses as well as prisoners who have to be brought long distances from the bush?

Dr. COOK.—Sometimes it has been.

Mr. NEVILLE.—This has been an issue in Western Australia for 50 years or more and it has been decided that the use of light neck chains is more humane than handcuffs when bringing prisoners from long distances in the bush. The practice is not adopted unless it is necessary, but when prisoners, and even witnesses, have to be brought from the bush the use of light neck chains of 6 oz. a foot is adopted. There have been a few unfortunate instances, of course, but action has been taken against those responsible. We must take care of the safety of an officer who may have to go out 300 miles to bring in several natives. This matter was referred to in the report of the royal commission appointed in 1934 to investigate, report and advise upon matters in relation to the condition and treatment of aborigines. The Commissioner reported as follows:—

I had no opportunity of seeing natives "on the chain" other than the prisoners at Broome Gaol while working outside. I understand they were chained with the same class of chain as would be used in the case of natives under police escort in the bush, although the prisoners I saw were chained by the ankle and not by the neck. The practice has been described by one witness before the Commission as one causing the greatest misery and degradation. With all respect to that witness—a lady whose views show unmistakably her well-intentioned, but, I think, extravagant, ideas of what should be done for the native—I noticed no such effect. Indeed, they seemed perfectly comfortable in their chains, they had every freedom of action, and apparently did not notice them. Other witnesses of great experience amongst natives—men of humane ideas and expressing their honest conviction—have said that the practice is not only necessary in many cases but, properly carried out, inflicts no hardship on the native. The Reverend J. R. B. Love, the Superintendent of Kimmunya Mission, at Port George IV., probably the most satisfactorily conducted mission I inspected, expressed the opinion that chains are infinitely preferable to handcuffs, and the practice is certainly not cruel. He thought a neck chain the most humane way of restraining native prisoners. This opinion was supported by Mr. A. W. Canning, who particularly advocated chaining by the neck rather than by the wrists, the latter method preventing the native from defending himself from attack by insects.

Realizing the difficulties of a police escort, possibly consisting of one constable, properly taking charge of a number of wild natives in their own country, I do not see how chaining can be avoided. It would appear to be necessary, both from the point of view of the safety of the escorting constable and also in order to prevent escape. Chaining may possibly have taken place when not strictly necessary. That could hardly be avoided when the decision is left to an individual discretion.

Chains may be used where they are necessary. In the gaols an ankle chain is used, but when natives travel from the bush the neck chain is preferable. This is the testimony of all the people who have had anything to do in a direct way with the natives.

Mr. BAILEY.—Unfortunately the chaining is not always done in a humane way.

Mr. PETTITT.—I think the psychological effect of the use of the word "chain" should be considered. People object to the chain on the ground that it is a reversion to the methods of the old feudal days. Could not a light wire rope be used?

Mr. NEVILLE.—We have to consider the safety of our officers, who are sometimes required individually to bring in half a dozen natives from places 400 miles distant.

Mr. BAILEY.—The native who is brought in may be innocent of the charge, and yet may have to walk that long distance.

Mr. NEVILLE.—That is true. I have not always been favorable to the methods of the police. I am glad to say the bad old days are past and so are the bad old methods.

Professor CLELAND.—I think we ought to take care to make it clear in any motion that is passed that neck chains may be used only for humane reasons.

Mr. BAILEY.—It seems to me that this subject should be dealt with by the representatives of Queensland, Western Australia, and the Northern Territory. We should not drag in the other States, in which it is never necessary to use chains in the circumstances that have been described.

Mr. NEVILLE.—What we wish to do is to affirm that the methods now being employed to bring in prisoners from long distances commend themselves to the Conference.

Dr. COOK.—If the Conference is not willing to say that the neck chain is preferable to the handcuff when natives have to travel long distances under escort, we may as well leave the subject alone.

Mr. BAILEY.—Why could not a band round the waist meet the case?

Mr. NEVILLE.—The natives frequently escape when they are secured by the ankles and the waist; but they have not been able to escape from the neck chain.

*Resolved—*

That where, for the safety of the escort and the security of the prisoners, it is necessary to subject the prisoners to restraint, it is the opinion of the representatives from the States and Territory concerned that the use of the neck chain while travelling through bush country is preferable to the use of handcuffs, for humanitarian reasons and having regard to the comfort of the prisoners.

#### POLICE AS PROTECTORS.

Mr. CARRODUS.—Strong criticism has been offered of the practice of appointing police as protectors, it being alleged that in that capacity the officer concerned is able to act in the dual role of prosecutor and defendant. I should like the conference to express an opinion on this subject. Our view is that, as the financial position improves, the practice of appointing police as protectors should be discontinued, but that it would be impossible to adopt that general principle immediately. It would cost a large amount of money to duplicate the personnel in many parts of Western Australia and the Northern Territory, in order that there might be both a police officer and a protector. In any case, when a policeman prosecutes, a protector is sent to watch the interests of the native concerned.

*Resolved—*

That further discussion of this subject be postponed until the next conference.

#### WOMEN PROTECTORS.

Mr. CARRODUS.—We are frequently being requested, chiefly by women's organizations, to appoint women protectors in the Northern Territory. It is claimed that in many cases where

lubras are concerned, the services of women protectors would be more beneficial, generally speaking, than the services of men protectors. We are prepared to admit that in some instances the appointment of women protectors is desirable, particularly where there are big communities; but in the bush country, it would be practically impossible to appoint women protectors. Such appointments would involve the appointment of protectors for the women protectors. We do not think that the time has yet arrived for the appointment of women protectors.

Mr. NEVILLE.—We have had some experience in Western Australia of women protectors. I do not think that the organizations which are asking for the appointment of women protectors mean women protectors at all. They have in mind women inspectors, which is a very different thing. Some years ago, in compliance with the request of several organizations, we appointed half a dozen women protectors, but they did absolutely nothing at all. They were honorary officers, and gradually dropped out of all activity. In only one case did one of those women protectors make a report to the department. We have since been requested again to make such appointments, but I cannot see that they would have any beneficial result. Under our act we are given authority to appoint such inspectors. There is also provision under the act to appoint women medical officers. We have authority to inspect all natives, whether suspected of disease or not. Personally, I think that that goes a little too far. It should only be necessary to inspect natives suspected of disease. I think that as far as possible women should be inspected only by women, and this is the departmental procedure proposed. I have already given instructions that no native woman is to be examined, except by a doctor or some responsible woman in the district.

Mr. CARRODUS.—How could that be done in the distant inland?

Mr. NEVILLE.—Men do not wish to make such inspections, and wherever it is possible for the inspections to be made by women they should be so made. That would be about the only reason why we would appoint women inspectors. As regards native girls employed in domestic service a woman inspector is, of course, more fitted to look after them than a male inspector would be.

Mr. HARKNESS.—It seems to me to be a matter which might be left to the discretion of the individual States.

Mr. BAILEY.—I agree with that.

Mr. CARRODUS.—I should like to obtain an expression of opinion on the subject from the representatives of the bigger States as to whether or not it is practicable to employ women protectors. Some organizations which interest themselves in native welfare have urged us to appoint women whose duty it would be to run about the bush like police officers inspecting the natives. It is not practicable under our conditions, though something of the kind might be done in regard to big native settlements near the towns.

Mr. McLEAN.—I think the idea would only be practicable in the bush if women attached to the stations were appointed protectors. I do not think that women belonging to the organizations referred to should be appointed, because, for the most part, they know very little of the conditions affecting the natives. In many instances, the points brought forward by organizations in the cities are utterly ridiculous when applied to bush natives.

Mr. BLEAKLEY.—In Queensland, we had a woman inspector for many years. We found that, while her services were useful to inspect girls in service within a hundred miles of the cities, she was quite useless in regard to bush natives in the more distant areas.

Mr. NEVILLE.—There is also the difficulty that aboriginal women will usually not give information to a white woman. The fact is that native women are regarded as the chattels of their men folk, who will not allow them to give information when it is sought. Such information can be obtained only from the men by a man.

*Resolved:—*

While the use of women protectors or inspectors for the supervision of female natives in populated areas may in places be desirable, the general appointment of women is not considered practicable, because of the very scattered nature of native camps, the difficulties of travel and the isolation.

#### COMMONWEALTH FINANCIAL ASSISTANCE TO THE STATES.

Mr. NEVILLE.—A strong case can be made out in favour of the granting of financial assistance by the Commonwealth to the States for the maintenance of their Native Affairs Departments, and, in my opinion, this Conference should adopt a resolution recommending the Commonwealth Government to make such assistance available to the States in proportion to their requirements. In Western Australia, the annual expenditure on natives amounts to £1 10s. 2d. for each native within the confines of civilization. Since 1840 we have spent nearly £1,250,000 on the natives, including £115,000 on the Rottnest establishment, which was a penal settlement for natives. The average annual expenditure over the ten year periods ending 1915, 1925 and 1935 has been, respectively, £24,819, £21,817 and £24,915. Thus it will be seen that the average yearly expenditure has been practically the same over the whole period, amounting roughly to £30,000. The reason that the figures I have quoted are somewhat below that amount is because the revenue derived from our cattle stations is set off against the expenditure. If we had sufficient capital to make those cattle stations more productive the demands upon the Treasury would be reduced as has happened in Queensland. It is impossible to do what this Conference suggests should be done on an expenditure of 30s. a head for each native. All we can do is to maintain the existing services, and provide the indigent with a certain quantity of food and clothing. The food is neither sufficient nor of the right kind. It lacks the very things that the people need. The natives in our State exist on four articles, meat, tea, flour and sugar. For the most part they do not get much meat. I am not going to give the details of the ration because I am not proud of it. Over and over again, we have urged that more money should be made available, but the Treasury has told us that it cannot be done. Lately, I have been pressing for the establishment of additional settlements, and always I have received the answer: "Wait until we have been to the Loan Council". When the Ministers return from the Loan Council we are told that they were not able to get what they wanted. Since the presentation of the report of the recent Royal Commission, a little more money has been made available, but it has been devoted mostly to health services. In my State, all health services connected with the natives are under my department, with the single exception of measures devoted to the control of leprosy. Fortunately for us the country hospitals accept native cases. We are just about to establish a contributory medical fund into which all employers of native labour will pay a stipulated amount, according to the number of natives they employ, and from this fund we shall be able to provide medical attention and hospital service. We have four or five native hospitals in the north, which cost us a

considerable amount of money, but the standard is not equal to that of white hospitals because we have not sufficient funds. We recognize that one of the main features of native administration must be the establishment of suitable settlements as clearing houses. At the present time, we have only one such settlement in Western Australia, but we need more. I think that Western Australia has done very well by its natives. Under the old Constitution, it was provided that a sum equal to one per cent. of the revenue over and above £500,000 a year should be devoted to the natives. It was found as years went on that this provision was absurd, and it was varied to provide for the voting of £10,000 by Parliament each year. Eventually, this proved to be insufficient, and the amount was increased by sums provided annually in the Estimates. Had the original provision continued we should now be spending over £80,000 a year on the natives, and the total expenditure to date would have been over £2,000,000. After the report of the Royal Commission was received I estimated that, in order to carry out its recommendations, it would be necessary to provide an additional £15,000 for capital expenditure, and another £15,000 a year for maintenance. The Government could not provide this amount, however, and now, owing to bad seasons, &c., it is probable that we shall not be able to have the vote increased. As a result, the natives are suffering, and we are coming in for a good deal of criticism, some of which is justified. We cannot advance without more money. We have 5,000 children requiring training and education, but we have no money to provide it. In fact, we can barely keep them in food. The shining spot is the success of our cattle stations. They do not pay completely, but they contribute to the maintenance of the natives. The principal station has on it 18,000 head of cattle, as well as numerous other livestock. It costs between £700 and £800 a year, and makes a fair return to the Treasury. If we had additional properly equipped stations, we could do a great deal more work among the uncivilized natives and those who are becoming detribalized. On our principal station there is no adequate housing for children, and there is no provision for technical training of the half-castes at any of our institutions. We have in Western Australia a Lotteries Commission, which is a useful institution, and from which we get special grants. The commission has helped us to improve our settlements, and has given us money for hospitals and medical requirements; but because of its constitutional limitations, there are certain things which it cannot do. It has just furnished us with funds for technical training at the principal settlement, but that is only a trifle compared with our needs. If any State has claim for Commonwealth consideration in this matter, it is Western Australia. It has a good record in its treatment of the native population, which was estimated at 55,000 when white settlement began, and is now about 30,000. Because our white population is small, the cost to support the natives within the State is 15s. *per capita*. That is an unfair imposition on a small population. We consider that the whole of Australia should contribute towards the support of our native inhabitants. I gave evidence on this subject before the Royal Commission on the Constitution some years ago, when I urged that the whole of the people of Australia should be taxed equally for the upkeep of the native race. In Western Australia we have the greatest number of natives, and we should receive assistance to carry on. I therefore feel that this Conference urge the Commonwealth to help the most necessitous States in this matter. Unless the work of caring for the natives is greatly extended, Australia will be discredited. There is to-day a vast body of public opinion in other parts of the world contending

that we are not doing the right thing by our aborigines. I do not suggest that that feeling is entirely justified but where there is smoke there is fire, and without financial support from the Commonwealth the position will not be improved.

Mr. BLEAKLEY.—In Queensland, although the Government is most generous, our work on behalf of the natives is being retarded because of insufficient funds for effective development of the resources of the institution to self-support. I support Mr. Neville's appeal and had intended to move a motion in somewhat similar terms.

Mr. HARKNESS.—Our national pride demands that we do something more than we are doing. The Commonwealth Government should assist those States which have small white, but large aboriginal populations, to continue to develop the work they are doing.

Professor CLELAND.—In support of Mr. Neville's case, I point out that the whole population of Australia contributes to the upkeep of natives in the Northern Territory. That being so, it is reasonable to urge that some expenditure of Commonwealth money should be devoted to the welfare of natives in the States.

Mr. CHAPMAN.—I suggest that if the Conference agrees to a resolution on the lines suggested by Mr. Neville, it should be accompanied by an outline of the reasons actuating it in doing so. On behalf of Western Australia, Mr. Neville has made a powerful plea, based on the financial weakness of his State, and the fact that it has a large native but small white population. I remind the Conference that it has already resolved that an effort be made to absorb the aboriginal population into the white population. That can only be achieved by a considerable extension of our activities. The States should continue to hold themselves responsible for the actual maintenance of the natives, whilst the Commonwealth should be responsible for their mental development, which is a necessary precedent to their absorption in the white population. It should be pointed out to the Commonwealth that the activities of the aborigines protection boards in the various States have relieved the central Government of considerable expenditure on invalid and old-age pensions and other social services, for which natives would be eligible but for the fact that they were being supported by those boards. The Commonwealth Statistician's figures should be used as a basis for arriving at the actual saving to the Commonwealth in this direction, and the amount so saved should be allocated among the State authorities according to the extent of their responsibilities and activities.

#### Resolved—

That the Commonwealth give financial assistance to the States most requiring it to assist them in the care, protection and education of natives which, unless extended, will bring discredit upon the whole of Australia.

This resolution is put forward for the following reasons:—

- (1) That the principle adopted by this Conference of the ultimate absorption of the native race into the ordinary community can only be achieved by a considerably extended programme of development and education.
- (2) That the work of the States is already saving to the Commonwealth a very considerable sum by reason of the fact that there is being maintained at the cost of the States a large number of people who would otherwise be in receipt of the invalid or old-age pension or other assistance directly from the Commonwealth for which they are now ineligible.
- (3) That the people of all the States are already contributing the whole cost of the care of natives in the Northern Territory, and it is only equitable that the people of Australia should also assist in other parts of the Commonwealth.
- (4) That following the precedent in other British dominions, it is reasonable that the Commonwealth Government should bear a considerable part of the cost.

#### SUPERVISION OF FULL-BLOOD NATIVES.

Dr. COOK.—I move—

That this Conference affirms the principle that the general policy in respect of full-blood natives should be—

- (a) To educate to white standard, children of the debilitated living near centres of white population, and subsequently to place them in employment in lucrative occupations, which will not bring them into economic or social conflict with the white community;
- (b) To keep the semi-civilized under a benevolent supervision in regard to employment, social and medical services in their own tribal areas. Small local reserves selected for tribal suitability should be provided in these tribal areas where unemployable natives may live as nearly as possible a normal tribal life, and unobjectional tribal ceremonies may continue and to which employees may repair when unemployed. The ultimate destiny of these people should be their elevation to class (a);
- (c) To preserve as far as possible the uncivilized native in his normal tribal state by the establishment of inviolable reserves; each State or Territory determining for itself whether mission activities should be conducted on these reserves and the conditions under which they may be permitted.

The motion expresses the policy which is being followed in the Northern Territory, and which, I understand, is also the policy of Western Australia and Queensland.

Mr. NEVILLE.—I suggest that the word "unobjectionable" should qualify the reference to tribal ceremonies in paragraph (b) of the motion. In Western Australia, we have decided that some of the tribal customs must cease. Several tribal customs have a deleterious effect on the natives, and they must cease. We do not desire to interfere with customs that are not harmful, but we have taken power to stamp out tribal customs and rites whenever they are considered to be harmful.

Professor CLELAND.—The question arises as to what are actually objectionable customs. I see no objection to the continuance of customs which have no deleterious effect on the natives.

Mr. NEVILLE.—It would be for the State administration to decide which were and which were not objectionable customs. In India, child marriages have been prohibited by law. In Australia we should have power to prevent the acquisition of children by old aboriginals.

Dr. COOK.—I agree to the inclusion of the word "unobjectionable" in my motion.

Motion amended accordingly and agreed to.

#### RACIAL PROBLEMS.

Dr. COOK.—The policies adopted in respect of half-castes and aboriginals originated with the Commonwealth, and, as a Commonwealth officer, I feel a considerable responsibility in regard to them. When previously I addressed the Conference on this subject, I stressed the possibility of developing a coloured race which would be a menace to the white population in the north. It cannot be disputed that the effect of the policy which this Conference has adopted, may have just that result. Therefore, it must be administered in such a way as to ensure that racial conflict will be avoided. The danger of such conflict arising can be visualized from a study of conditions in North America. Not many years ago, the United States of America was divided by a civil war on the question of the treatment of the negro population. Even to-day, the colour problem in that country is so acute that a negro convict is in grave danger of being lynched. Recently the carrying out of a sentence of death passed on a negro was made the occasion for conviviality and carnival. More recently, two coloured men, suspected of being involved in the murder of a white man, were taken from the police and burnt to death. Such things happen to-day in a community not very different from our own. There is at present no evidence of any such attitude towards the coloured people in Australia, for in this

country the aboriginal native is regarded with contemptuous tolerance. But when he has been elevated to a position almost equal to that of a white, conflict may be expected unless that stage is reached only after enlightened development. I move—

Realizing that the pursuit of this policy and its ultimate realization, unless subject to enlightened guidance, may result in racial conflict, disastrous to the happiness and welfare of the coloured people, this conference is of opinion that the Commonwealth should take such steps as seem desirable to obtain full information upon racial problems in America and South Africa for submission to a further conference of Chief Protectors to be held within two years.

Mr. NEVILLE.—I second the motion, although I do not think that Dr. Cook's fears will be realized. In Western Australia there has not been much trouble of the kind mentioned, and in the cases which have arisen the persons concerned were severely punished. If we adopt the policy agreed to at this Conference, the danger referred to by Dr. Cook should not arise, because the absorption of the natives into the white race will take place before trouble is likely to occur.

Mr. BLEAKLEY.—Dr. Cook may be needlessly apprehensive, but as conditions in the Northern Territory are different from those in Queensland, I support the motion. I know of very few instances of alarming molestation of white women by aborigines, or of native uprisings.

Motion agreed to.

#### CORPORAL PUNISHMENT.

Mr. CARRODUS.—The subject of the infliction of corporal punishment on natives has been before the Commonwealth Government on several occasions, particularly in connexion with the administration of New Guinea. In the opinion of a Judge of that Territory, it is ridiculous to bring a native before the court three months after an offence has been committed and then punish him. He recommended the passing of an ordinance authorizing responsible officers to inflict whippings under certain conditions immediately after the offence has been committed. The New Guinea Act prohibits the flogging of natives, as does also the Covenant of the League of Nations, although whipping and other minor forms of corporal punishment are allowed. Our legislation prohibits whipping, although in Kenya, another British possession, whipping is permitted. In every case the punishment may be inflicted only by a responsible officer who must report the happening. A native is capable of understanding the meaning of punishment given on the spot; and if it is given in the presence of other natives, and he is made to appear ridiculous, it is much more effective than placing him in gaol, where he gets a taste of the white man's food and probably causes more trouble later. I should like an expression of opinion on this subject.

Professor CLELAND.—There is much to be said for inflicting some form of corporal punishment, on the spot, but, in my opinion, it should be administered only after consultation with the old men of the tribe, and should actually be administered by them or under their direction. It need not necessarily be done by a white person at all, although under his supervision.

Mr. BAILEY.—I do not think that any Protector should be authorized to inflict corporal punishment in the way suggested. We have approved of the establishment of native courts, and we should not agree to punishment without trial.

Mr. BLEAKLEY.—I do not like the idea of an officer having authority to inflict corporal punishment on natives without some form of trial, although I realize that summary punishment is likely to have more effect than punishment which is delayed. Not only is the power liable to abuse, but reports of such happenings are also likely to be greatly exaggerated.

Mr. BAILEY.—I do not think that punishment should be inflicted without an order of the court. We might, however, agree to a court ordering adequate punishment.

Mr. NEVILLE.—In the past corporal punishment, even to the extent of unmerciful flogging, was allowed; but the act now in force in Western Australia does not permit natives to be whipped (although it provides, by regulation, for the caning of minors). Adult bush natives, who are generally quiet and peaceful, are just as likely to misunderstand a whipping as detention in gaol. A native who acts in accordance with tribal law does not understand why he is punished for his action. A black man seldom kills a white man, unless he is provoked. My State does not favour the corporal punishment of adult natives, but it agrees that minors living in settlements should be punishable.

Dr. COOK.—Normal aboriginal customs sometimes cause excruciating agony to the young people, but they tolerate it without complaint. One of our most experienced officers advises that a mild form of corporal punishment inflicted by a white may defeat its own object, in that, while not really hurting the offender, it may cause him to regard the white man with contempt, and himself as a hero.

Professor CLELAND.—Punishment inflicted by, or under the direction of, the old men of the tribe would probably be effective.

Dr. COOK.—The officer to whom I have referred suggests that, instead of being designed to inflict pain, punishment should be directed towards making the offender look ridiculous in the eyes of the other natives.

Mr. BAILEY.—No white man is punished except by an order of a court, and we should require an order of the court before punishing a native. I see danger in allowing a Protector of Aborigines to inflict corporal punishment. If it is permitted, he will soon cease to be regarded as a protector.

#### Resolved—

That this Conference is not seized of the necessity for corporal punishment.

#### ABORIGINAL WOMEN.

Mr. CARRODUS.—The Commonwealth Aborigines Ordinance contains very stringent provisions in regard to immoral intercourse with native women. The provisions themselves seem complete, but in applying them great difficulty is experienced. Unless he is caught red-handed, there is little chance of convicting an offender, because in most instances the lubra, even if she has not solicited intercourse, will not give evidence. Can the Conference suggest more workable provisions?

Professor CLELAND.—It may be that, although convictions are difficult to obtain, the ordinance prevents a great deal of illicit intercourse.

Mr. BLEAKLEY.—The Queensland law also provides for the punishment of persons having illicit intercourse with native women. It is a defence if the man can prove that he is lawfully married, under tribal laws, to the woman. The provisions of section 9 of the *Aborigines Protection Act, 1934*, which covers consorting with, or procuring or inducing native females for illegal intercourse or trading such women in prostitution have proved effective. During the last two years there have been six or eight successful prosecutions and these have had a deterrent effect. The law provides that no man shall be convicted of being the father of an illegitimate child born of an aboriginal or half-caste woman on the word of the mother alone.

Mr. NEVILLE.—Prior to the passing of our present act we had had similar experiences to those outlined by Mr. Carrodus. It was almost impossible to bring a man to book because the word "cohabit" only was used. Since then the law has been substantially amended. I direct attention to section 46 of the Native Administration Act in which, as will be seen, the words "sexual intercourse", "habitually living", "cohabiting" and "soliciting" are used. The section also gives us power in other ways. But difficulty is created by reason of the fact that action must be taken within six months. It is often impossible to tell whether a child is the offspring of two natives until after it is born. However, we have had some success with the new law and I feel sure that equal success may later be attained under the provisions applying in the Northern Territory. We have adopted the method of making inquiries for ourselves in addition to relying entirely on police investigations, and we have found it satisfactory. The new act came into force last December and at least a dozen cases instituted under its provisions have good prospects of success.

Mr. BLEAKLEY.—I suggest that a motion be carried to the effect that it is desirable that uniform legislation should be passed to provide for the effective protection of native females.

Mr. CARRODUS.—I think it will be satisfactory if we merely have the record that the subject was discussed by the Conference and that the provisions of various State acts were described.

Mr. BAILEY.—In that case we will not take a motion on the subject.

#### REPORT OF PROCEEDINGS.

Mr. CARRODUS.—Although we shall have a *Hansard* record of the proceedings of the Conference I think it would be desirable to print a summary of the resolutions in the front of the report. The report, of course, is not verbatim. It is a running record.

Mr. BAILEY.—I think that that course would be appropriate.

#### MATTERS FOR POST-CONFERENCE CONSIDERATION.

Professor GLELAND.—As we have now reached the end of our agenda I wish to suggest one or two additional matters for consideration. I refer first to the traffic in wild dog scalps and suggest that it should be strictly controlled under licence.

Dr. COOK.—Perhaps that subject and also the control of central Australian reservations, referred to in the agenda, Item (5) (b), could be referred to the representatives of South Australia, Western Australia and the Northern Territory for conference after the conclusion of the meetings of the full Conference.

Mr. NEVILLE.—That course will suit me.

#### MATTERS FOR CONSIDERATION BY NEXT CONFERENCE.

Mr. BLEAKLEY.—Before the Conference concludes I should like consideration to be given to the following proposals—

That it is advisable in the interests of natives in the northern areas that a leprosarium be established in a suitable place in the tropics.

That aborigines employed in the pastoral and agricultural industries should have a definite basic value placed upon their labour sufficient to enable them to live in comfort and support the unemployed members of their families.

That it is desirable that there should be some fund established from which aged natives living in a civilized manner and not eligible for Commonwealth Old-age and Invalid Pensions should be able to obtain such benefits.

That it is desirable that as far as may be practicable in each State uniform measures should be adopted for the control relief and protection of the detribalized, particularly in regard to their engagement in employment and business dealings.

That in the opinion of this Conference the question of health is one of the most important factors in the aboriginal protection problem and it is desirable that as far as may be practicable there should be some uniform and definite policy governing the prevention and control of disease, including the fixing of a nutritious and balanced diet, dental care and other necessary health measures.

Mr. BAILEY.—It is hardly desirable to turn our attention to such important matters within a few minutes of the conclusion of the Conference.

Mr. CARRODUS.—I suggest that the matters referred to by Mr. Bleakley be listed for consideration at a subsequent conference.

Mr. BLEAKLEY.—Several of these matters were contained in the motion submitted by me in the first part of the agenda paper; but as to some extent they may be regarded as details of the general policy, I shall be satisfied with the course suggested if it be the wish of the Conference.

#### REPRESENTATIONS BY MISSIONARY AND OTHER INTERESTED ORGANIZATIONS.

The representations submitted by the National Missionary Council of Australia, the Victorian Aboriginal Group, the Australian Aborigines' League, the Women's Christian Temperance Union of South Australia and others were fully considered by the Conference.

Definite decisions in regard to many of the subjects mentioned were arrived at. Other matters were deferred for consideration at a subsequent Conference.

#### CONFERENCE SECRETARIAT.

A Secretariat was established for the collation of matters to be discussed at future conferences, and it was notified that all bodies and organizations desiring to submit representations for consideration should forward them to the Secretary, Conference of Commonwealth and State Aboriginal Authorities, Department of the Interior, Canberra.

#### EXPRESSION OF THANKS.

Mr. BAILEY.—As the Conference has now concluded its business I wish to express thanks to the Commonwealth Government for having made this assembly possible. The exchange of views and experiences by the members of the Conference must prove definitely beneficial to all interests concerned and should lead to improved administration in respect of the aborigines generally. I take the opportunity, also, to thank Mr. Barranger for his assistance as secretary and in preparing reports for the press. I stated at the beginning of the Conference that I did not expect to be present at all the sittings, but I am glad that it has been possible for me to do so.

Dr. MORRIS.—We are all under a debt of gratitude to the Chairman for the exceptionally able manner in which he has conducted the work of the Conference. I am sure that all the members of the Conference would like this fact recorded.

*Resolved—*

That hearty thanks be extended to the Chairman for the very efficient manner in which he has discharged his duties.

Mr. CARRODUS.—I wish to say on behalf of the Minister for the Interior, who is unable to be present, that he appreciates the work that has been done in connexion with the Conference. These meetings have been extremely helpful to all concerned and must prove permanently beneficial in our work.

*The Conference concluded.*

